



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

May 28, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

PROJECT R2012-01612-(4)
CONDITIONAL USE PERMIT NO. 201200087
ENVIRONMENTAL ASSESSMENT NO. 201200160
APPLICANT: CANTOHOOD, LLC
PUENTE ZONED DISTRICT
(FOURTH SUPERVISORIAL DISTRICT) (3-VOTES)

SUBJECT

The proposed project would authorize a 3,900 square foot Billiard Hall facility within an existing commercial center in the C-3-BE (Unlimited Commercial, Billboard Exclusion) Zone. The project site is located at 18888 Labin Court, Unit #B-208, in the unincorporated community of Rowland Heights. The facility would have an occupant load of 62 persons and would require 21 on-site parking spaces. Food and beverages (excluding alcohol) would be served incidental to the primary billiard hall use. The project qualifies as a Categorical Exemption (Class 1 – Existing Facilities) under the California Environmental Quality Act (CEQA) and the County Environmental Guidelines.

The project was approved by the Hearing Officer on November 6, 2012, and the Regional Planning Commission (RPC) on February 6, 2013. The approval is being appealed by Mr. Don Kim.

IT IS RECOMMENDED THAT YOUR BOARD, AFTER THE PUBLIC HEARING:

1. Find that the project is categorically exempt pursuant to State and local CEQA guidelines.
2. Deny the appeal and instruct County Counsel to prepare the necessary findings to affirm the RPC's approval of Conditional Use Permit (CUP) No. 201200087.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The project is compatible with the surrounding area. The proposed billiard hall is located within a commercial center which is located adjacent to the 60 Pomona Freeway to the north, commercial uses to the west, a driving range to the south, and a mobile home community to the west. The shopping center's location and building setbacks adequately buffer the proposed use from the surrounding community, including the mobile home park to the west.

The proposed use is consistent with the goals and policies of the Rowland Heights Community Plan and the Countywide General Plan as it promotes neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design, and locational controls.

Implementation of Strategic Plan Goals

The proposed project would help implement the County's Strategic Plan Goals of increasing the well-being of County residents. The facility would provide services to the local residents and add to the commercial diversity of the area.

FISCAL IMPACT/FINANCING

Implementation of the proposed CUP should not result in any new significant costs to the County or to RPC as the proposed project is a private development. Construction and operating costs will be borne by the applicant.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

RPC conducted a duly noticed public hearing at its regularly scheduled meeting of February 6, 2013. One speaker, the applicant's representative, testified in favor of the project, and one speaker, the appellant, testified in opposition. RPC subsequently voted 5-0 to approve CUP No. 201200087.

Pursuant to subsection A of Section 22.60.230 of the County Code, Don Kim appealed RPC's approval to the Board of Supervisors on February 20, 2013. A public hearing is required pursuant to Section 22.60.240 of the County Code and Sections 65335 and 65856 of the Government Code. Notice of the hearing must be given pursuant to the procedures set forth in Section 22.60.174 of the County Code. These procedures exceed the minimum standards of Government Code Sections 6061, 65090, 65355, and 65856 relating to notice of public hearing.

ENVIRONMENTAL DOCUMENTATION

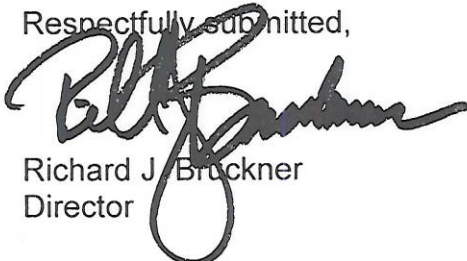
Planning Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under CEQA and the County Environmental Guidelines. The proposed use would be located within an existing structure and would not require any new construction or expansion of the existing structure, or any additional parking beyond what is provided on-site. Approval of the project proposal requires adoption of the Categorical Exemption.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Action on the proposed CUP is not anticipated to have a negative impact on current services.

Should you have any questions regarding this project, please contact Maral Tashjian at (213) 974-6435 or by e-mail at mtashjian@planning.lacounty.gov.

Respectfully submitted,



Richard J. Bruckner
Director

RJB:SA:MM:MT:lm

Attachments:

1. Appeal Form
2. Regional Planning Commission Approval and Hearing Documents

c: Executive Office, Board of Supervisors
Assessor
Chief Executive Office (Rita Robinson)
County Counsel
Public Works

NON-APPLICANT

Date 2/20/2013

Zoning Section
Los Angeles County Board of Supervisors
Room 383, Kenneth Hahn
Hall of Administration
500 West Temple Street
Los Angeles, California 90012

PROJECT
NO./CUP NO.: R2012-01612-(4)APPLICANT: C. C. ChangLOCATION: 18888 Labia Court, Unit #B-208

Zoned
District

Related zoning matters:

CUP(s) or VARIANCE No. 201200089

Change of Zone Case No. _____

Other _____

This is an appeal on the decision of the Regional Planning Commission in the subject case. This form is to be presented with a check or money order, payable to the Board of Supervisors, with personal identification prior to the appeal deadline at 5:00 p.m. at the above address. (Appeal fees subject to change) Contact the Zoning section of the Board of Supervisors for more information: (213) 974-1426.

This is to appeal: (Check one)

☐ The Denial of this request 817.00*☒ The Approval of this request 817.00*

*For Subdivisions \$130.00 of this amount is to cover the cost of the hearing of the Board of Supervisors

2/20/13 Date

Briefly, explain the reason for the appeal (attach additional information if necessary):

The business location is located remote, isolated and dead-end from major thruway and another CUP (#201200073) for 61800 St. Karaoke Center has been approved for this location as well. The residents of Rowland Heights in the area are worried about their children being negatively impacted by this business and worried about increase of crime in the area ~~due~~ because this business will operate 2 AM everyday. More detailed information will be presented in near future.

x

(Signed)

Appellant

Don Kim

Print Name

19119 Colima Rd. #101

Address

Rowland Heights, 91248

City/Zip

213) 598-8999

Day Time Telephone Number

donkim.1031@gmail.com

E-mail Address



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

February 6, 2013

C. C. Chang
JWL Associates, Architectural & Engineering
1221 South Hacienda Boulevard
Hacienda Heights, CA 91745

**REGARDING: PROJECT NO. R2012-01612-(4)
CONDITIONAL USE PERMIT NO. 201200087
18888 LABIN COURT, UNIT #B-208, ROWLAND HEIGHTS
(APN: 8761-011-020)**

The Regional Planning Commission, by its action of **February 6, 2013**, has **APPROVED** the above-referenced project. Enclosed are the Commission's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

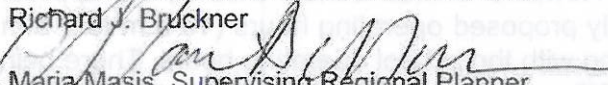
The applicant or any other interested persons may appeal the Regional Planning Commission's decision. The appeal period for this project will end at 5:00 p.m. on **February 20, 2013**. **Appeals must be delivered in person.**

Appeals: **To file an appeal, please contact:**
Executive Office of the Board of Supervisors
Room 383, Kenneth Hahn Hall of Administration
500 West Temple Street, Los Angeles, CA 90012
(213) 974-1426

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Maral Tashjian of the Zoning Permits East Section at (213) 974-6435, or by email at mtashjian@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner


Maria Masis, Supervising Regional Planner
Zoning Permits East Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance
c: Board of Supervisors; DPW (Building and Safety); Zoning Enforcement; Don Kim
MM:MT

CC:060412

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. R2012-01612-(4)
CONDITIONAL USE PERMIT NO. 201200087**

1. **ENTITLEMENT REQUESTED.** The applicant, Cantohood LLC, is requesting a Conditional Use Permit (CUP) to authorize a billiard hall pursuant to County Code Section 22.28.210 in the C-3-BE (Unlimited Commercial, Billboard Exclusion) Zone.
2. **HEARING DATE.** February 6, 2013
3. **PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION.** A duly noticed public hearing was held on February 6, 2013 before the Regional Planning Commission (Commission). Commissioners Valadez, Louie, Helsley, Pedersen, and Modugno were present. The appellant, Don Kim, presented his request for an appeal of the Hearing Officer's decision. His concerns were that the proposed business would have a negative impact on the community and students in the area. This was followed by testimony from the applicant's representative, Peter Wang.

The Commission discussed the merit of limiting the hours of operation of the Billiard Hall, and concluded that the business as proposed, a competition-certified sport facility for all ages, would not necessarily be a crime-generating use, nor a use that would tempt students to skip school any more than any other use (e.g. restaurant or shopping mall). The Commission concluded a limit on the business' operating hours would not be necessary with the added condition to prohibit the sale of alcohol at the site.

There being no further testimony, the Commission closed the public hearing, sustained the decision of the Hearing Officer and denied the appeal with modifications to the conditions of approval. The modifications include the removal of the condition that limits the hours of operation, and the addition of a condition that no alcohol shall be served within the billiard hall.

4. **PROCEEDINGS BEFORE THE HEARING OFFICER.** A duly noticed public hearing was held on November 6, 2012 before the Hearing Officer. The applicant's representative, Peter Wang, presented testimony in favor of the request and answered questions presented by the Hearing Officer. In response to the opposition letter received from the Rowland Unified School District, the applicant volunteered to change their originally proposed operating hours (10 a.m to 2 a.m.) to 2 p.m. to 2 a.m. to avoid conflicting with the school operating hours. There being no further testimony, the Hearing Officer closed the public hearing and approved the project subject to the conditions recommended by staff and agreed to by the applicant's representative.

5. **PROJECT DESCRIPTION.** The proposed project is to authorize a billiard hall within a newly established two-story, multi-tenant commercial center (authorized by Plot Plan No. 200800405). The proposed 3,900 square foot facility would have an occupant load of 62 persons and would require 21 parking spaces. Food and beverages would be served incidental to the primary billiard hall use.

6. **LOCATION.** 18888 Labin Court, Unit #B-208, Rowland Heights

7. **EXISTING ZONING.** The subject property is zoned C-3-BE (Unlimited Commercial, Billboard Exclusion), in the Puente Zoned District. Surrounding properties are zoned as follows:

North: M-1.5-BE (Restricted Heavy Agricultural, Billboard Exclusion)

South: C-3-BE

East: C-3-BE, C-3, A-1-6,000 (Light Agricultural, 6,000 sq. ft. minimum lot size)

West: R-3-12U (Limited Multiple Residence, 12 dwelling unit/acre maximum density)

8. **EXISTING LAND USES.** The subject property is developed with a commercial center. Surrounding properties are developed as follows:

North: State Route 60 (Pomona Freeway), Motel, Shopping Center

South: Driving Range

East: Motel, Restaurant, Commercial, Automobile Repair, Single-Family Residences

West: Mobile Home Community

9. **PREVIOUS CASES/ZONING HISTORY.**

- Plot Plan No. 200800405 to authorize the original construction of the shopping center was approved on July 23, 2009.
- Plot Plan No. 201000980 to authorize a new 4-level parking structure was approved on March 7, 2012.
- (Approved) Conditional Use Permit No. 201200073 to establish a 6,800 square foot Karaoke Center with an occupant load of 191 persons.

10. **GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.**

The project site is located within the Commercial (C) land use category of the Rowland Heights Community Plan. The proposed project is consistent with the permitted uses of the underlying land use category which is intended for retail commercial, service and office uses.

The following policy of the General Plan is applicable to the proposed project:

- Promote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale,

design and locational controls. (Land Use Element: Ensure Compatibility of Development - Policy No. 9, Page III-12)

The proposed project provides a convenience service to the surrounding community and complements the community character through appropriate locational controls.

The following policy of the Rowland Heights Community Plan is applicable to the proposed project:

- Encourage the location of commercial and industrial structures where appropriate along freeway and highway routes. (Noise – Policy No. 2, Page 29)

The project site is located directly south of the State Route 60 Pomona Freeway and is located off of Nogales Street, an existing major highway.

11. ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.

Billiard halls are permitted in the C-3 (Unlimited Commercial) Zone under Section 22.28.210 of the Zoning Code, subject to the issuance of a conditional use permit pursuant to the provisions of Part 1 of Chapter 22.56.

Per Section 22.52.1110, entertainment, assembly, and dining uses require one automobile parking space for each three persons based on the occupant load as determined by the County Engineer.

The Building and Safety Division of the Department of Public Works has determined that the occupant load for the billiard hall is 62 persons. Therefore 21 parking spaces are required. These parking spaces are available among the 618 existing and proposed parking spaces at the site.

12. NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY. The proposed billiard hall is located within a commercial center which is located adjacent to the 60 Pomona Freeway to the north, commercial uses to the west, open space (driving range) to the south, and a mobile home community to the west. A 74-foot 3-inch setback (which exceeds the 30-foot 9-inch setback required by the CSD) separates the commercial center from the neighboring mobile home community. This setback, along with the location and orientation of the proposed use within the interior of the commercial center ensures that the use will not create a noise nuisance to the surrounding residences.

The parking spaces at the rear of the building, nearest to the mobile home community, are primarily used for employees and deliveries. Use of this portion of the parking lot by patrons of the proposed use could potentially create a nuisance (light and noise) if cars are entering and exiting that portion of the parking lot until 2 a.m. A condition of approval is included in this permit to prohibit the use of these parking spaces by patrons of the proposed use to prevent such nuisance.

The shopping center's location and design which buffers the proposed use from the adjacent residences, and the proposed use's consistency with the Rowland Heights Community Plan and Countywide General Plan, make it compatible with the surrounding neighborhood, with appropriate conditions.

If approved, a ten (10) year term is recommended for the requested Conditional Use Permit. This is based on the need to reevaluate the compatibility of the project with the surrounding community. It is also recommended that the project be inspected annually for compliance with the final conditions of approval.

13. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
14. **PUBLIC COMMENTS.** A letter was received from the Rowland Unified School District, dated October 25, 2012. In the letter the school district expressed opposition to the proposed Billiard Hall, citing concern that the proposed facility would provide an opportunity for students to skip school and visit the establishment and would affect the traffic flow around the schools which the school district believes would jeopardize the safety of the students.

CONDITIONAL USE PERMIT SPECIFIC FINDINGS

15. The proposed project is consistent with the permitted uses of the designated land use category and supports policies of the Rowland Heights Community Plan and Countywide General Plan.

Therefore, the proposed use will be consistent with the adopted general plan for the area.

16. The proposed project's orientation and location within the commercial center, the significant side yard setback of the commercial center, and the proposed project conditions regarding the operation of the facility reduce the likelihood that the project will negatively affect the persons residing in the neighboring residences.

Therefore, the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

17. The existing commercial center was constructed in compliance of the development standards in the County Zoning Code.

Therefore, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area.

18. The site is served by Labin Court, a fully improved collector street. Under the previous approval of the commercial center plot plan, the applicant is required to comply with the conditions of approval by the County Department of Public Works for any necessary street improvements to accommodate the traffic generated by the commercial center.

Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

ENVIRONMENTAL DETERMINATION

19. The project proposed is to authorize a billiard hall within an existing structure which has adequate parking to accommodate the use. There is no expansion or new construction proposed apart from minor interior tenant improvements. The project is not an exception to any categorical exemptions.

Therefore, the project qualifies as a Categorical Exemption (Class 1 – Existing Facilities) and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

20. **TERM LIMIT.** To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Regional Planning Commission determines that it is necessary to limit the term of the grant to ten (10) years.
21. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the proposed use will be consistent with the adopted general plan for the area; and

- B. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit as set forth in Section 22.56.090 of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

- 1. The Regional Planning Commission has considered the Categorical Exemption for this project and certifies that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
- 2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 201200087 is Approved subject to the attached conditions.

ACTION DATE: February 6, 2013

VOTE: 5:0:0:0

Concurring: Valadez, Louie, Helsley, Pedersen, Modugno

Dissenting: 0

Abstaining: 0

Absent: 0

MM:MT

c: Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2012-01612-(4)
CONDITIONAL USE PERMIT NO. 201200087**

PROJECT DESCRIPTION

The project is a new billiard hall within an existing multi-tenant commercial building subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on February 6, 2023.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$2,000.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to

determine the permittee's compliance with the conditions of approval. The fund provides for ten (10) annual inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works ("Public Works").
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings

shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PROJECT SITE SPECIFIC CONDITIONS

19. This grant shall authorize a billiard hall with a total occupancy not to exceed 62 persons.
20. The permittee shall provide parking as required by the County Code, calculated at a parking ratio of 3:1. The billiard hall has an occupant load of 191 persons which would require not less than 21 spaces be provided based on the applicable ratio. If the permittee changes the operation of the billiard hall so as to require less parking than the minimum requirement, the permittee shall submit an application for a Revised Exhibit "A" within 90 days of such occurrence.

If the billiard hall substantially changes its mode or character of operation or if the permittee changes the use or occupancy or otherwise modifies the subject property so as to require parking beyond the minimum requirement, the permittee shall submit an application for a minor parking deviation, parking permit, variance, or other applicable permit, as determined by the Director, within 90 days of such occurrence.
21. Parking on the western portion of the property adjacent to the residences shall not be used by patrons of the billiard hall.
22. No signage is approved by this grant. A separate sign review shall be filed for review and approval by Regional Planning.
23. No alcohol shall be served within the billiard hall.
24. Any noise associated with the billiard hall shall not be audible from the nearest residential use.
25. There shall be no loitering permitted on the premises under the control of the permittee.
26. No dancing or dance floor is permitted.

27. There shall be no cover charge or prepayment fee for food and/or beverage service required for admission to the billiard hall.
28. The permittee shall comply with all conditions set forth in the attached Public Works letter dated March 29, 2010.

Attachments:

Public Works Letter dated March 29, 2010



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

IN REPLY PLEASE
REFER TO FILE: LD-3

March 29, 2010

Mr. Bobby Liu
Pearl of the East, LLC
18401 East Arenth Avenue
City of Industry, CA 91748

Dear Mr. Liu:

**18888 LABIN COURT
ASSESSOR'S MAP BOOK NO. 8761, PAGE 11, PARCEL 18
PROJECT NO. R2008-00516
IN THE UNINCORPORATED COUNTY AREA OF ROWLAND HEIGHTS
TWO 2-STORY BUILDINGS FOR RETAIL AND OFFICE USE**

The Zoning Ordinance (Title 22 of the Los Angeles County Code) requires street dedication and improvements before any building or structure can be used on a lot that adjoins a highway, street, or alley. As part of the building permit, any right of way necessary for road widening of the half of the road adjoining the lot must be dedicated and any necessary road improvements must be constructed in conformity with the County of Los Angeles Department of Public Works' standards.

Your application on file for the construction of two 2-story buildings for retail and office use is subject to the provisions of the Zoning Ordinance. Therefore, before this site can be used, the requirements on the enclosed Agreement to Improve must be satisfied.

Please execute and return the enclosed Agreement to Improve to Public Works' Building and Safety Division (Southwest District office) prior to the issuance of your building permit. The signature on the document must be notarized. Please send a copy of the signed agreement to Public Works' Land Development Division, Subdivision Management Section.

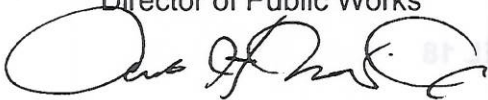
Mr. Bobbie Liu
March 29, 2010
Page 2

A copy of this letter has been sent to our Building and Safety Division and the Department of Regional Planning to clear the Agency Referral form for the requested road requirements for your building application.

A permit from Public Works' Construction Division and a street improvement plan will be required for any road work. It is suggested that any plans needed for obtaining the permit be submitted to Land Development Division, Road and Grading Section, as soon as possible to allow the maximum time for processing and approval. Additional information regarding procedures and requirements may be obtained by contacting Mrs. Patricia Constanza at (626) 458-4921 or by e-mail at pconstan@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER
Director of Public Works



PL DENNIS HUNTER, PLS PE
Assistant Deputy Director
Land Development Division

PL PC:ca
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cc: Department of Regional Planning (Annie Lin)

March 29, 2010

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
AGREEMENT TO IMPROVE
ADJACENT HIGHWAYS, STREETS, OR ALLEYS**

The undersigned certifies that he/she is the owner in fee simple of the property described:

Assessor's Map Book No. 8761, page 11, Parcel 18

Legal Description

18888 Labin Court, in the unincorporated County area of Rowland Heights

Street Address

Project No. R2008-00516—Two 2-story Buildings for Retail and Office Use

Project Description

and hereby agrees to construct the following road improvements as specified in the Zoning Ordinance in accordance with the standards of Public Works

1. Dedicate right of way for an off-set cul-de-sac bulb with a 53-foot radius along the property frontage on Labin Court to the satisfaction of Public Works. A processing fee is required.
2. Permission is granted to vacate excess right of way along the cul-de-sac bulb, along the property frontage on Labin Court to the satisfaction of Public Works. An application and fee must be submitted to Public Works to initiate the process.
3. Execute an encroachment covenant for the private maintenance of the catch basin lateral on Labin Court.
4. Construct an off-set cul-de-sac bulb with a 45-foot curb radius along the property frontage on Labin Court to the satisfaction of Public Works.
5. Construct concrete sidewalk on Labin Court along the property frontage to the satisfaction of Public Works.
6. Construct new driveways along Labin Court to meet current Americans with Disabilities Act requirements to the satisfaction of Public Works.
7. Plant street trees on Labin Court along the property frontage to the satisfaction of Public Works.

March 29, 2010

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
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Legal Description

18888 Labin Court, in the unincorporated County area of Rowland Heights

Street Address

Project No. R2008-00516—Two 2-story Buildings for Retail and Office Use

Project Description

8. As a condition to the approval of the subdivision of Parcel Map No. 26789, an updated traffic study is required upon the development of this parcel. Therefore, an approved traffic study is required and shall be submitted directly to Public Works for review and approval along with a review fee. For additional information, please contact Jeff Pletyak at (626) 300-4721 of Public Works' Traffic and Lighting Division. Comply with any additional requirements, if any, as a means of mitigating any traffic impacts as identified in the traffic study approved by Public Works.
9. Provide street lights on concrete poles, with underground wiring, along the property frontage on Labin Court, per approved Street Lighting Plans No. L 031-2009, to the satisfaction of Public Works.
 - a. The applicant shall comply with the conditions listed below in order for the lighting districts to pay for the future operation and maintenance of the street lights. The street lights shall be installed per approved plans prior to issuance of Certificate of Occupancy.
 - b. All street light in the project, or approved project phase, must be constructed according to Public Works-approved plans. The contractor shall submit one complete set of As-built plans. Provided the above conditions are met, the lighting district can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year, provided all street lights have been energized and the developer has requested a transfer of billing at least by January 1 of the previous year. The transfer of billing could be delayed one or more year if the above conditions are not met.

March 29, 2010

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
AGREEMENT TO IMPROVE
ADJACENT HIGHWAYS, STREETS, OR ALLEYS**

The undersigned certifies that he/she is the owner in fee simple of the property described:

Assessor's Map Book No. 8761, page 11, Parcel 18

Legal Description

18888 Labin Court, in the unincorporated County area of Rowland Heights

Street Address

Project No. R2008-00516—Two 2-story Buildings for Retail and Office Use

Project Description

10. Repair and replace any improvements damaged during construction to the satisfaction of Public Works.

It is further agreed that the occupancy of building(s) to be constructed, altered, or enlarged, as shown on plans filed with Public Works' Building and Safety Division, will not be granted until all requirements are met and the required deeds have been executed and recorded. The owner also agrees to enter into a new secured agreement to guarantee the aforementioned road improvements should the County agree to issue occupancy prior to the completion of said road improvements.

**ALL SIGNATURES TO BE ACKNOWLEDGED
BEFORE A NOTARY PUBLIC**

Owner(s)

Mailing Address

Regional Planning Commission Transmittal Checklist

Hearing Date

2/6/2013

Agenda Item No.

6

Project Number: R2012-01612-(4)
Case(s): Conditional Use Permit No. 201200087
Environmental Assessment No. 201200160
Planner: Maral Tashjian

- ☒ Memo to the Regional Planning Commission
- ☒ Draft Findings & Conditions
- ☒ Appeal Request
- ☒ Approval Package
- ☒ November 6, 2012 – Supplemental Package (Hearing Officer)
- ☒ November 6, 2012 – Hearing Package (Hearing Officer)

Reviewed By: 

The above mentioned item is an appeal of the Hearing Officer's decision on November 6, 2012, that approved the establishment of a 3.5-acre square lot Billard Hall within an existing commercial center. The item was last heard at the January 10, 2013 hearing, at which point the project was continued due to a request from the appellant.

The appellant, Don Kim, filed a request for appeal of the Hearing Officer's decision on November 20, 2012. Mr. Kim's reason for the appeal is that the proposed business will have a negative impact on the community and the students in the area. The appeal request, which is attached, includes 31 signatures in opposition of the project from property owners in the surrounding community and a letter of opposition from the Rowland Unified School District dated October 25, 2012. The letter from the Rowland Unified School District is addressed to Regional Planning and was discussed at the November 6, 2012 hearing before the Hearing Officer.

Updated findings and conditions have been prepared for the consideration of the Commission and are included in this package. If the Commission decides to sustain the decision of the Hearing Officer and deny the appeal, staff recommends that the grant form in the conditions of approval be extended from November 6, 2012 to February 6, 2013 to account for time lapsed due to the appeal process.

SUGGESTED MOTION:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING,
SUSTAIN THE DECISION OF THE HEARING OFFICER AND DENY THE APPEAL.



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

January 24, 2013

TO: David W. Louie, Chair
Esther L. Valadez, Vice Chair
Harold V. Helsley, Commissioner
Curt Pedersen, Commissioner
Pat Modugno, Commissioner

FROM: Maria Masis *clm*
Section Head, Zoning Permits East

SUBJECT: Project Number R2012-01612-(4)
Conditional Use Permit No. 201200087
RPC Meeting: February 6, 2013
Agenda Item: 6

The above-mentioned item is an appeal of the Hearing Officer's decision on November 6, 2012, that approved the establishment of a 3,900 square foot Billiard Hall within an existing commercial center. This item was last heard at the January 16, 2013 hearing, at which point the project was continued due to a request from the appellant.

The appellant, Don Kim, filed a request for appeal of the Hearing Officer's decision on November 20, 2012. Mr. Kim's reason for the appeal is that the proposed business will have a negative impact on the community and the students in the area. The appeal request, which is attached, includes 31 signatures in opposition of the project from property owners in the surrounding community and a letter of opposition from the Rowland Unified School District dated October 25, 2012. The letter from the Rowland Unified School District is addressed to Regional Planning and was discussed at the November 6, 2012 hearing before the Hearing Officer.

Updated findings and conditions have been prepared for the consideration of the Commission and are included in this package. If the Commission decides to sustain the decision of the Hearing Officer and deny the appeal, staff recommends that the grant term in the conditions of approval be extended from November 6, 2022 to February 6, 2023 to account for time lapsed due to the appeal process.

SUGGESTED MOTION:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING, SUSTAIN THE DECISION OF THE HEARING OFFICER AND DENY THE APPEAL.

If you need further information, please contact Maral Tashjian of my staff at (213) 974-6435 or mtashjian@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

MM:MT

DRAFT FINDINGS & CONDITIONS

If you need further information, please contact Maria Tashjian at my staff at (213) 874-6435 or maria.tashjian@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

MM/MT

DRAFT FINDINGS & CONDITIONS

**DRAFT FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. R2012-01612-(4)
CONDITIONAL USE PERMIT NO. 201200087**

1. **ENTITLEMENT REQUESTED.** The applicant, Cantohood LLC, is requesting a Conditional Use Permit (CUP) to authorize a billiard hall pursuant to County Code Section 22.28.210 in the C-3-BE (Unlimited Commercial, Billboard Exclusion) Zone.
2. **HEARING DATE.** February 6, 2013
3. **PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION.** *To be inserted after the public hearing to reflect hearing proceedings.*
4. **PROCEEDINGS BEFORE THE HEARING OFFICER.** A duly noticed public hearing was held on November 6, 2012 before the Hearing Officer. The applicant's representative, Peter Wang, presented testimony in favor of the request and answered questions presented by the Hearing Officer. In response to the opposition letter received from the Rowland Unified School District, the applicant volunteered to change their originally proposed operating hours (10 a.m. to 2 a.m.) to 2 p.m. to 2 a.m. to avoid conflicting with the school operating hours. There being no further testimony, the Hearing Officer closed the public hearing and approved the project subject to the conditions recommended by staff and agreed to by the applicant's representative.
5. **PROJECT DESCRIPTION.** The proposed project is to authorize a billiard hall within a newly established two-story, multi-tenant commercial center (authorized by Plot Plan No. 200800405). The proposed 3,900 square foot facility would have an occupant load of 62 persons and would require 21 parking spaces. Food and beverages would be served incidental to the primary billiard hall use. Operating hours would be from 2 p.m. to 2 a.m., seven days a week.
6. **LOCATION.** 18888 Labin Court, Unit #B-208, Rowland Heights
7. **EXISTING ZONING.** The subject property is zoned C-3-BE (Unlimited Commercial, Billboard Exclusion), in the Puente Zoned District. Surrounding properties are zoned as follows:
 - North: M-1.5-BE (Restricted Heavy Agricultural, Billboard Exclusion)
 - South: C-3-BE
 - East: C-3-BE, C-3, A-1-6,000 (Light Agricultural, 6,000 sq. ft. minimum lot size)
 - West: R-3-12U (Limited Multiple Residence, 12 dwelling unit/acre maximum density)
8. **EXISTING LAND USES.** The subject property is developed with a commercial center. Surrounding properties are developed as follows:

North: State Route 60 (Pomona Freeway), Motel, Shopping Center
South: Driving Range
East: Motel, Restaurant, Commercial, Automobile Repair, Single-Family
Residences
West: Mobile Home Community

9. PREVIOUS CASES/ZONING HISTORY.

- Plot Plan No. 200800405 to authorize the original construction of the shopping center was approved on July 23, 2009.
- Plot Plan No. 201000980 to authorize a new 4-level parking structure was approved on March 7, 2012.
- (Approved) Conditional Use Permit No. 201200073 to establish a 6,800 square foot Karaoke Center with an occupant load of 191 persons.

10. GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.

The project site is located within the Commercial (C) land use category of the Rowland Heights Community Plan. The proposed project is consistent with the permitted uses of the underlying land use category which is intended for retail commercial, service and office uses.

The following policy of the General Plan is applicable to the proposed project:

- Promote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design and locational controls. (Land Use Element: Ensure Compatibility of Development - Policy No. 9, Page III-12)

The proposed project provides a convenience service to the surrounding community and complements the community character through appropriate locational controls.

The following policy of the Rowland Heights Community Plan is applicable to the proposed project:

- Encourage the location of commercial and industrial structures where appropriate along freeway and highway routes. (Noise – Policy No. 2, Page 29)

The project site is located directly south of the State Route 60 Pomona Freeway and is located off of Nogales Street, an existing major highway.

11. ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.

Billiard halls are permitted in the C-3 (Unlimited Commercial) Zone under Section 22.28.210 of the Zoning Code, subject to the issuance of a conditional use permit pursuant to the provisions of Part 1 of Chapter 22.56.

Per Section 22.52.1110, entertainment, assembly, and dining uses require one automobile parking space for each three persons based on the occupant load as determined by the County Engineer.

The Building and Safety Division of the Department of Public Works has determined that the occupant load for the billiard hall is 62 persons. Therefore 21 parking spaces are required. These parking spaces are available among the 618 existing and proposed parking spaces at the site.

12. **NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.** The proposed billiard hall is located within a commercial center which is located adjacent to the 60 Pomona Freeway to the north, commercial uses to the west, open space (driving range) to the south, and a mobile home community to the west. A 74-foot 3-inch setback (which exceeds the 30-foot 9-inch setback required by the CSD) separates the commercial center from the neighboring mobile home community. This setback, along with the location and orientation of the proposed use within the interior of the commercial center ensures that the use will not create a noise nuisance to the surrounding residences.

The parking spaces at the rear of the building, nearest to the mobile home community, are primarily used for employees and deliveries. Use of this portion of the parking lot by patrons of the proposed use could potentially create a nuisance (light and noise) if cars are entering and exiting that portion of the parking lot until 2 a.m. A condition of approval is included in this permit to prohibit the use of these parking spaces by patrons of the proposed use to prevent such nuisance.

The shopping center's location and design which buffers the proposed use from the adjacent residences, and the proposed use's consistency with the Rowland Heights Community Plan and Countywide General Plan, make it compatible with the surrounding neighborhood, with appropriate conditions.

If approved, a ten (10) year term is recommended for the requested Conditional Use Permit. This is based on the need to reevaluate the compatibility of the project with the surrounding community. It is also recommended that the project be inspected annually for compliance with the final conditions of approval.

13. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
14. **PUBLIC COMMENTS.** A letter was received from the Rowland Unified School District, dated October 25, 2012. In the letter the school district expressed opposition to the proposed Billiard Hall, citing concern that the proposed facility would provide an opportunity for students to skip school and visit the establishment and would affect the traffic flow around the schools which the school district believes would jeopardize the safety of the students.

CONDITIONAL USE PERMIT SPECIFIC FINDINGS

15. The proposed project is consistent with the permitted uses of the designated land use category and supports policies of the Rowland Heights Community Plan and Countywide General Plan.

Therefore, the proposed use will be consistent with the adopted general plan for the area.

16. The proposed project's orientation and location within the commercial center, the significant side yard setback of the commercial center, and the proposed project conditions regarding the operation of the facility reduce the likelihood that the project will negatively affect the persons residing in the neighboring residences.

Therefore, the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

17. The existing commercial center was constructed in compliance of the development standards in the County Zoning Code.

Therefore, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area.

18. The site is served by Labin Court, a fully improved collector street. Under the previous approval of the commercial center plot plan, the applicant is required to comply with the conditions of approval by the County Department of Public Works for any necessary street improvements to accommodate the traffic generated by the commercial center.

Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

ENVIRONMENTAL DETERMINATION

19. The project proposed is to authorize a billiard hall within an existing structure which has adequate parking to accommodate the use. There is no expansion or new construction proposed apart from minor interior tenant improvements. The project is not an exception to any categorical exemptions.

Therefore, the project qualifies as a Categorical Exemption (Class 1 – Existing Facilities) and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

20. **TERM LIMIT.** To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Regional Planning Commission determines that it is necessary to limit the term of the grant to ten (10) years.
21. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the proposed use will be consistent with the adopted general plan for the area; and
- B. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit as set forth in Section 22.56.090 of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. The Regional Planning Commission has considered the Categorical Exemption for this project and certifies that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 201200087 is Approved subject to the attached conditions.

ACTION DATE: February 6, 2012

c: Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2012-01612-(4)
CONDITIONAL USE PERMIT NO. 201200087**

PROJECT DESCRIPTION

The project is a new billiard hall within an existing multi-tenant commercial building subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on February 6, 2023.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$2,000.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to

determine the permittee's compliance with the conditions of approval. The fund provides for ten (10) annual inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works ("Public Works").
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings

shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.

18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PROJECT SITE SPECIFIC CONDITIONS

19. This grant shall authorize a billiard hall with a total occupancy not to exceed 62 persons.

20. The permittee shall provide parking as required by the County Code, calculated at a parking ratio of 3:1. The billiard hall has an occupant load of 191 persons which would require not less than 21 spaces be provided based on the applicable ratio. If the permittee changes the operation of the billiard hall so as to require less parking than the minimum requirement, the permittee shall submit an application for a Revised Exhibit "A" within 90 days of such occurrence.

If the billiard hall substantially changes its mode or character of operation or if the permittee changes the use or occupancy or otherwise modifies the subject property so as to require parking beyond the minimum requirement, the permittee shall submit an application for a minor parking deviation, parking permit, variance, or other applicable permit, as determined by the Director, within 90 days of such occurrence.

21. Parking on the western portion of the property adjacent to the residences shall not be used by patrons of the billiard hall.

22. No signage is approved by this grant. A separate sign review shall be filed for review and approval by Regional Planning.

23. Operating hours shall be between the hours of 2 p.m. to 2 a.m. seven days a week.

24. Any noise associated with the billiard hall shall not be audible from the nearest residential use.

25. There shall be no loitering permitted on the premises under the control of the permittee.

26. No dancing or dance floor is permitted.
27. There shall be no cover charge or prepayment fee for food and/or beverage service required for admission to the billiard hall.
28. The permittee shall comply with all conditions set forth in the attached Public Works letter dated March 29, 2010.

Attachments:

Public Works Letter dated March 29, 2010

March 29, 2010

Mr. Bobby Liu
Plan of the East, LLC
18401 East Avenue
City of Industry, CA 91748

Dear Mr. Liu:

18828 LAMIN COURT
ASSESSOR'S MAP BOOK NO. 8381, PAGE 11, PARCEL 18
PROJECT NO. R2008-00516
IN THE UNINCORPORATED COUNTY AREA OF ROWLAND HEIGHTS
TWO 2-STORY BUILDINGS FOR RETAIL AND OFFICE USE

The Zoning Ordinance (Title 22 of the Los Angeles County Code) requires street dedication and improvements before any building or structure can be used on a lot that adjoins a highway, street, or alley. As part of the building permit, any right of way necessary for road widening of the full of the road adjoining the lot must be dedicated and any necessary road improvements must be constructed in conformity with the County of Los Angeles Department of Public Works' standards.

Your application on file for the construction of two 2-story buildings for retail and office use is subject to the provisions of the Zoning Ordinance. Therefore, before this site can be used, the requirements on the enclosed Agreement to Improve must be satisfied.

Please execute and return the enclosed Agreement to Improve to Public Works' Building and Safety Division (Southwest District Office) prior to the issuance of your building permit. The signature on the document must be notarized. Please send a copy of the signed agreement to Public Works' Land Development Division, Subdivision Management Section.



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

IN REPLY PLEASE
REFER TO FILE: LD-3

March 29, 2010

Mr. Bobby Liu
Pearl of the East, LLC
18401 East Arenth Avenue
City of Industry, CA 91748

Dear Mr. Liu:

**18888 LABIN COURT
ASSESSOR'S MAP BOOK NO. 8761, PAGE 11, PARCEL 18
PROJECT NO. R2008-00516
IN THE UNINCORPORATED COUNTY AREA OF ROWLAND HEIGHTS
TWO 2-STORY BUILDINGS FOR RETAIL AND OFFICE USE**

The Zoning Ordinance (Title 22 of the Los Angeles County Code) requires street dedication and improvements before any building or structure can be used on a lot that adjoins a highway, street, or alley. As part of the building permit, any right of way necessary for road widening of the half of the road adjoining the lot must be dedicated and any necessary road improvements must be constructed in conformity with the County of Los Angeles Department of Public Works' standards.

Your application on file for the construction of two 2-story buildings for retail and office use is subject to the provisions of the Zoning Ordinance. Therefore, before this site can be used, the requirements on the enclosed Agreement to Improve must be satisfied.

Please execute and return the enclosed Agreement to Improve to Public Works' Building and Safety Division (Southwest District office) prior to the issuance of your building permit. The signature on the document must be notarized. Please send a copy of the signed agreement to Public Works' Land Development Division, Subdivision Management Section.

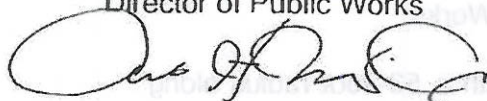
Mr. Bobbie Liu
March 29, 2010
Page 2

A copy of this letter has been sent to our Building and Safety Division and the Department of Regional Planning to clear the Agency Referral form for the requested road requirements for your building application.

A permit from Public Works' Construction Division and a street improvement plan will be required for any road work. It is suggested that any plans needed for obtaining the permit be submitted to Land Development Division, Road and Grading Section, as soon as possible to allow the maximum time for processing and approval. Additional information regarding procedures and requirements may be obtained by contacting Mrs. Patricia Constanza at (626) 458-4921 or by e-mail at pconstan@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER
Director of Public Works



ph DENNIS HUNTER, PLS PE
Assistant Deputy Director
Land Development Division

PL PC:ca
P:\LDPUB\SUBMGT\PERMITS\IR-3\LABINCT AT\DOC

cc: Department of Regional Planning (Annie Lin)

March 29, 2010

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
AGREEMENT TO IMPROVE
ADJACENT HIGHWAYS, STREETS, OR ALLEYS**

The undersigned certifies that he/she is the owner in fee simple of the property described:

Assessor's Map Book No. 8761, page 11, Parcel 18

Legal Description

18888 Labin Court, in the unincorporated County area of Rowland Heights

Street Address

Project No. R2008-00516--Two 2-story Buildings for Retail and Office Use

Project Description

and hereby agrees to construct the following road improvements as specified in the Zoning Ordinance in accordance with the standards of Public Works

1. Dedicate right of way for an off-set cul-de-sac bulb with a 53-foot radius along the property frontage on Labin Court to the satisfaction of Public Works. A processing fee is required.
2. Permission is granted to vacate excess right of way along the cul-de-sac bulb, along the property frontage on Labin Court to the satisfaction of Public Works. An application and fee must be submitted to Public Works to initiate the process.
3. Execute an encroachment covenant for the private maintenance of the catch basin lateral on Labin Court.
4. Construct an off-set cul-de-sac bulb with a 45-foot curb radius along the property frontage on Labin Court to the satisfaction of Public Works.
5. Construct concrete sidewalk on Labin Court along the property frontage to the satisfaction of Public Works.
6. Construct new driveways along Labin Court to meet current Americans with Disabilities Act requirements to the satisfaction of Public Works.
7. Plant street trees on Labin Court along the property frontage to the satisfaction of Public Works.

March 29, 2010

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
AGREEMENT TO IMPROVE
ADJACENT HIGHWAYS, STREETS, OR ALLEYS

The undersigned certifies that he/she is the owner in fee simple of the property described:

Assessor's Map Book No. 8761, page 11, Parcel 18

Legal Description

18888 Labin Court, in the unincorporated County area of Rowland Heights

Street Address

Project No. R2008-00516—Two 2-story Buildings for Retail and Office Use

Project Description

8. As a condition to the approval of the subdivision of Parcel Map No. 26789, an updated traffic study is required upon the development of this parcel. Therefore, an approved traffic study is required and shall be submitted directly to Public Works for review and approval along with a review fee. For additional information, please contact Jeff Pletyak at (626) 300-4721 of Public Works' Traffic and Lighting Division. Comply with any additional requirements, if any, as a means of mitigating any traffic impacts as identified in the traffic study approved by Public Works.
9. Provide street lights on concrete poles, with underground wiring, along the property frontage on Labin Court, per approved Street Lighting Plans No. L 031-2009, to the satisfaction of Public Works.
 - a. The applicant shall comply with the conditions listed below in order for the lighting districts to pay for the future operation and maintenance of the street lights. The street lights shall be installed per approved plans prior to issuance of Certificate of Occupancy.
 - b. All street light in the project, or approved project phase, must be constructed according to Public Works-approved plans. The contractor shall submit one complete set of As-built plans. Provided the above conditions are met, the lighting district can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year, provided all street lights have been energized and the developer has requested a transfer of billing at least by January 1 of the previous year. The transfer of billing could be delayed one or more year if the above conditions are not met.

March 29, 2010

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
AGREEMENT TO IMPROVE
ADJACENT HIGHWAYS, STREETS, OR ALLEYS**

The undersigned certifies that he/she is the owner in fee simple of the property described:

Assessor's Map Book No. 8761, page 11, Parcel 18

Legal Description

18888 Labin Court, in the unincorporated County area of Rowland Heights

Street Address

Project No. R2008-00516—Two 2-story Buildings for Retail and Office Use

Project Description

10. Repair and replace any improvements damaged during construction to the satisfaction of Public Works.

It is further agreed that the occupancy of building(s) to be constructed, altered, or enlarged, as shown on plans filed with Public Works' Building and Safety Division, will not be granted until all requirements are met and the required deeds have been executed and recorded. The owner also agrees to enter into a new secured agreement to guarantee the aforementioned road improvements should the County agree to issue occupancy prior to the completion of said road improvements.

Owner(s)

**ALL SIGNATURES TO BE ACKNOWLEDGED
BEFORE A NOTARY PUBLIC**

Mailing Address



Los Angeles County
Department of Regional Planning



Richard A. Davidson
Director

REGIONAL PLANNING COMMISSION
APPEAL FORM



Nov 20, 2015

DATE:

TO:

Mr. Rosie Ruiz
Regional Planning Commission Secretary
Department of Regional Planning
County of Los Angeles
320 W. Temple Avenue, Room 1350
Los Angeles, California 90012

FROM:

APPEAL REQUEST

SUBJECT:

Project Number(s)

Case Number(s)

Case Planner

Address

Assessor's Parcel Number

Zoned District

Entitlement Requested:

Billboard Sign

Related Zoning Matters:

Change of Zone Case No.	2015 000810
Other	
Change of Zone Case No.	
Other	
Change of Zone Case No.	
Other	
Change of Zone Case No.	
Other	

(Reverse)



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

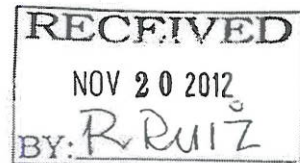


Richard J. Bruckner
Director

REGIONAL PLANNING COMMISSION
APPEAL FORM

DATE: Nov. 20, 2012

TO: Ms. Rosie Ruiz
Regional Planning Commission Secretary
Department of Regional Planning
County of Los Angeles
320 W. Temple Avenue, Room 1350
Los Angeles, California 90012



RPC
Alejandra
Catal
Nolas
Tashjian
Kenne

FROM: Don Kim
Name

SUBJECT: Project Number(s): R2012-01612-(4)
Case Number(s): 201200087
Case Planner: Ms. Maral Tashjian
Address: 18888 Labin Ct. Unit # B-208
Assessors Parcel Number:
Zoned District: Puente Zoned District

Entitlement Requested:
Billiard Hall

Related Zoning Matters:

Tentative Tract/Parcel Map No.	
<u>CUP</u> VAR or Oak Tree No.	<u>201200087</u>
Change of Zone Case No.	
Other	

(Reverse)

I am appealing the decision of (check one and fill in the underlying information):

☐ Director

☒ Hearing Officer

Decision Date: _____

Public Hearing Date: Nov. 6, 2012

Hearing Officer's Name: Hachiya

Agenda Item Number: #7

The following decision is being appealed (check all that apply):

☐ The Denial of this request

☒ The Approval of this request

☐ The following conditions of approval:

List conditions here

The reason for this appeal is as follows:

This business will have negative impact in the community and on students in the area. The Rowland Unified School District sent a letter requesting denial of permit (see attached) and the residents in the immediate area oppose this establishment. (see attached).

Are you the applicant for the subject case(s) (check one)? ☐ YES

☒ NO

Submitted herewith is a check or money order for the amount due, as indicated on the Fee Schedule on the Los Angeles County Department of Regional Planning's website.

Appellant (Signature) [Signature]

Print Name Don Kim

Address 19119 Colima Rd. # 101, Rowland Heights, 91748

Day Time Telephone No. 213) 598-8999

donkim.1031@gmail.com

*Fee subject to change

Received from Don Kim

Address

19119 Culma Road #101
Rowland Heights, CA 91748
Seven Hundred and Thirteen

(213) 598-8999 (C)

donkim.103@gmail.com

11-20-12
713.00

Dollars

ENVIRONMENTAL PERMITS

	Case No.	Amount	Surcharge	Total
Initial Study				
Major Environment Impact Report				
Minor Environment Impact Report				
Appeal to the Environmental Review Committee				

SUBDIVISION PERMITS

	# Lots	# Units	Case No.	Amount	Surcharge	Total
Certificate of Compliance						
Condominium Conversion Notification						
Lot Line Adjustment						
Tentative Parcel Map						
PM Revision Before Approval (Major)						
PM Revision After Approval (Minor)						
PM Revision After Approval (Major)						
Parcel Map Waiver						
Tentative Tract Map						
TM Revision Before Approval (Major)						
TM Revision After Approval (Minor)						
TM Revision After Approval (Major)						

ZONING PERMITS

	Case No.	Amount	Surcharge	Total
Animal Permit				
Appeal to the Regional Planning Commission	<u>R 2012-011012-4</u>	<u>\$ 713.00</u>		<u>\$ 713.00</u>
Approval in Concept				
Aviation Case				
Cemetery Permit				
Coastal Development Permit				
Coastal Development Permit, Amendment				
Conditional Use Permit				
CUP, Land Reclamation Projects				
CUP, Low Income Housing				
CUP, Significant Ecological Areas				
Development Agreement				
Explosive Storage Permit				
Highway Realignment				
Mobilehome Permit				
Non-Conforming Use				
Oak Tree Permit				
Parking Permit				
Plan Amendment, Local				
Plan Amendment, Countywide				
Plot Plan Review				
Plot Plan Review, Commercial/Industrial/Hillside				
Specific Plans				
Surface Mining Permit				
Temporary Use Permit				
Variance				
Zone Change				

OTHER

Description	Total	OTHER	Description	Total

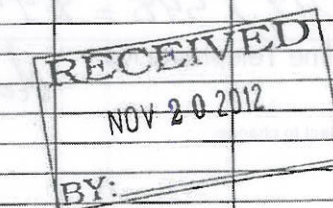
Cash \$

713.00

Check/Money Order #

CAR

Signature & Official Title



	Transferor	Transferee	Date	Time	Collection Amt
1	Rose O. Ruiz	na	11/20/12	8:15	\$713.00
2					
3					
4					
5					
6					
7					
8					
9					
10					

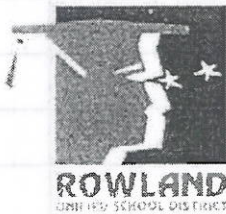
Date of Deposit: _____

By: _____

1830 South Nogales Street
Rowland Heights
CA 91748

(626) 965-2541
(FAX) 854-8302

www.rowlandschools.org

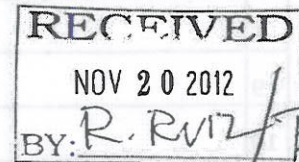


Governing Board
Cary C. Chen
Heidi L. Gallegos
Gilbert G. Garcia, Ph.D.
Robert F. Hidalgo
Judy Nieh

Interim Superintendent
Ruben P. Frutos

October 25, 2012

Mr. Maral Tashjian
Los Angeles County Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012



Re: Billiard Hall Permit at 18888 Labin Court, Rowland Heights

Dear Mr. Tashjian:

This letter is in regards to the notice of public hearing for the above-mentioned address intending to establish a Billiard Hall.

The location identified for this purpose falls within the boundary of the Rowland Unified School District. There are 6 school sites within 1.3 miles radius of proposed location including 3 elementary schools, 2 high schools and 1 community day school with open campus meaning students can leave and return to campus.

As an educational institute, we foresee that it will have a negative impact in the community and on students as it will provide an opportunity for students to skip school and visit the establishment, thus affecting their studies. Hours of operation requested will also affect the traffic flow around the schools, as the establishment will be located in very close proximity of the freeway increasing traffic flow around the schools where students travel to and from schools, thus jeopardizing the safety of our students.

We request a denial of the permit for establishing a Billiard Hall. We are enclosing map quest directions and distance for the 6 school sites which are located within 1.3 miles radius.

I would like to thank you in advance for your support. Please feel free to contact me to answer any questions or provide any other information.

Sincerely,

Ajay Mohindra
Chief Financial Officer
Rowland Unified School District

AM/rg

Enclosures

Board Vision: The Rowland Unified School District promotes, expects, and accepts nothing short of excellence.
We have a collective commitment to be the best school district in California.

Mission: The mission of the Rowland Unified School District, the progressive international community united in learning, is to empower students so that each actualizes his or her unique potential and responsibly contributes to a global society, through a system distinguished by rigorous academics, innovative use of technology, creative exploration, and nurturing learning experiences.

122012-01612-4

RECEIVED

NOV 20 2012

R. RUIZ

Tasyia

We, the residents of Rowland Heights, oppose the Los Angeles County Planning Department granting Conditional Use Permit to Karaoke entertainment facility and Billiard hall located at 18888 Labin Court in Rowland Heights. We live within one mile radius from the location and don't want our children to be negatively impacted from such entertainment businesses as well as crime rate could go up in our area.

Conditional Use Permit# 201200073 and 201200087

Name	Address	Date	Signature
Howard	19022 Daisetta St	11/18/12	David
Flanny Enrique	19052 Daisetta St	11/18/12	Flanny Enrique
Maria	1517 Abelian Ave	11/18/12	Maria
Mahmoud	19054 Campanario Ave	11/18/12	Mahmoud
Chase	1506 Abelian Ave	11/18/12	Chase
ERIC LIU	19049 Daisetta St	11/18/12	ERIC LIU
Taron Tony	19018 TRANSBARGER ST	11/18/12	Taron Tony
Ron Chen	19036 Transbarger St.	11/18/12	Ron Chen
John Dominguez	19015 JODI ST.	11/18/12	John Dominguez
Chang Hua Chen	1342 CAMERONS ST	11/18/12	Chang Hua Chen
Eric Isador	1338 CAMERONS AVE	11/18/12	Eric Isador
Kristin Chen	1330 CAMERONS AVE	11/18/12	Kristin Chen
Cheng Ching Yang	1300 CAMERONS AVE	11/18/12	Cheng Ching Yang
	1337 COSTOZA AVE	11/18/12	Cheng Ching Yang

Rhoda Yang	1341 Custoga Ave.	11/18/12	Feb
Adi Alcaraz	19002 Montell Ct. Rowland Hts	11/18/12	Feb
Mike Hing	1409 CUSTOGA AV	11/18/12	Mike Hing
Jasmin Gutierrez	1741 Paso Real Ave Rowland Heights, CA	11/18/12	Jasmin Gutierrez
Michelle Yung	1764 Paso Real Avenue Rowland Hts, CA 91748	11/18/12	Michelle Yung
Jean Caldera	1775 PASO REAL AVE ROWLAND HTS, CA 91748	11/19/12	Jean Caldera
Livia Ramon	1821 Paso Real Ave Rowland Heights	11/19/12	RE
Jose Suarez	1827 Paso Real Ave Rowland Hts. CA 91748	11/19/2012	Jose Suarez
Belinda	1849 Paso Real Ave Rowland Hts 91748	11/19/2012	Belinda Carr
ANGEL Ponce	1909 PASO REAL AVE	11-19-2012	PONCE
Lilia Raymundo	1937 Paso Real Ave Rowland Hts CA 91748	11/19/2012	Lilia Raymundo
Ion C. Chen	1943 Paso Real Ave. Rowland Hts	11/19/2012	Ion Ch. Chi
Noemi	1953 Paso Real Ave.	11/19/12	Noemi
Gracelda	1964 Paso Real Av.	11/19/12	Gracelda
Julia Chu	1850 Paso Real Ave	11/19/12	Julia Chu



Richard J. Buckner
Director

Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



November 6, 2012

C. C. Chang
JWL Associates, Architectural & Engineering
1321 South Hacienda Boulevard
Hacienda Heights, CA 91745

REGARDING: PROJECT NO. R2012-01812-4)
CONDITIONAL USE PERMIT NO. 201200087
1888 LABIN COURT, UNIT 8B-208, ROWLAND HEIGHTS
(APN: 8761-011-020)

Hearing Officer Patricia Hachis, by her action of November 6, 2012, has APPROVED the above-referenced project. Findings and Conditions of Approval Please carefully review the findings and conditions of approval. The appeal period has ended and the required documents and applicable fees are submitted to Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

APPROVAL PACKAGE

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on November 20, 2012. Appeals must be delivered in person.

Appeals: To file an appeal, please contact:
Regional Planning Commission, Attn: Commission Secretary
Room 1350, Hall of Records
350 West Temple Street, Los Angeles, CA 90012
(213) 874-6406

Upon completion of the appeal period, the notated Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a denial to Zoning Enforcement for further action.

For questions or for additional information, please contact Maria Tashjian of the Zoning Permits East Section at (213) 874-6435 or by email at mtashjian@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING

Richard J. Buckner
Mark Marks, Supervising Regional Planner
Zoning Permits East Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)
CUPW (Building and Safety), Zoning Enforcement, Rowland Unified School District
MM MT



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

November 6, 2012

C. C. Chang
JWL Associates, Architectural & Engineering
1221 South Hacienda Boulevard
Hacienda Heights, CA 91745

**REGARDING: PROJECT NO. R2012-01612-(4)
CONDITIONAL USE PERMIT NO. 201200087
18888 LABIN COURT, UNIT #B-208, ROWLAND HEIGHTS
(APN: 8761-011-020)**

Hearing Officer Patricia Hachiya, by her action of **November 6, 2012**, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

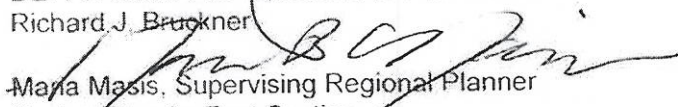
The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **November 20, 2012. Appeals must be delivered in person.**

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Regional Planning Commission, Attn: Commission Secretary
Room 1350, Hall of Records
320 West Temple Street, Los Angeles, CA 90012
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Maral Tashjian of the Zoning Permits East Section at (213) 974-6435, or by email at mtashjian@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner


Maral Tashjian, Supervising Regional Planner
Zoning Permits East Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)
c: DPW (Building and Safety); Zoning Enforcement, Rowland Unified School District
MM:MT

**FINDINGS AND ORDER OF THE HEARING OFFICER
COUNTY OF LOS ANGELES
PROJECT NO. R2012-01612-(4)
CONDITIONAL USE PERMIT NO. 201200087**

1. **ENTITLEMENT REQUESTED.** The applicant, Cantohood LLC, is requesting a Conditional Use Permit (CUP) to authorize a billiard hall pursuant to County Code Section 22.28.210 in the C-3-BE (Unlimited Commercial, Billboard Exclusion) Zone.
2. **HEARING DATE.** November 6, 2012
3. **PROCEEDINGS BEFORE THE HEARING OFFICER.** The applicant's representative, Peter Wang, presented testimony in favor of the request and answered questions presented by the Hearing Officer. In light of the opposition letter received from the Rowland Unified School District, the applicant volunteered to change their originally proposed operating hours (10 a.m to 2 a.m.) to 2 p.m. to 2 a.m. to avoid conflicting with the school operating hours. There being no further testimony, the Hearing Officer closed the public hearing and approved the project subject to the conditions recommended by staff and agreed to by the applicant's representative.
4. **PROJECT DESCRIPTION.** The proposed project is to authorize a billiard hall within a newly established two-story, multi-tenant commercial center (authorized by Plot Plan No. 200800405). The proposed 3,900 square foot facility would have an occupant load of 62 persons and would require 21 parking spaces. Food and beverages would be served incidental to the primary billiard hall use. Operating hours would be from 10 a.m. to 2 a.m., seven days a week.
5. **LOCATION.** 18888 Labin Court, Unit #B-208, Rowland Heights
6. **EXISTING ZONING.** The subject property is zoned C-3-BE (Unlimited Commercial, Billboard Exclusion), in the Puente Zoned District. Surrounding properties are zoned as follows:
 - North: M-1.5-BE (Restricted Heavy Agricultural, Billboard Exclusion)
 - South: C-3-BE
 - East: C-3-BE, C-3, A-1-6,000 (Light Agricultural, 6,000 sq. ft. minimum lot size)
 - West: R-3-12U (Limited Multiple Residence, 12 dwelling unit/acre maximum density)
7. **EXISTING LAND USES.** The subject property is developed with a commercial center. Surrounding properties are developed as follows:
 - North: State Route 60 (Pomona Freeway), Motel, Shopping Center
 - South: Driving Range

East: Motel, Restaurant, Commercial, Automobile Repair, Single-Family
Residences
West: Mobile Home Community

8. **PREVIOUS CASES/ZONING HISTORY.**

- Plot Plan No. 200800405 to authorize the original construction of the shopping center was approved on July 23, 2009.
- Plot Plan No. 201000980 to authorize a new 4-level parking structure was approved on March 7, 2012.
- (Pending) Conditional Use Permit No. 201200073 to establish a 6,800 square foot Karaoke Center with an occupant load of 191 persons.

9. **GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.**

The project site is located within the Commercial (C) land use category of the Rowland Heights Community Plan. The proposed project is consistent with the permitted uses of the underlying land use category which is intended for retail commercial, service and office uses.

The following policy of the General Plan is applicable to the proposed project:

- Promote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design and locational controls. (Land Use Element: Ensure Compatibility of Development - Policy No. 9, Page III-12)

The proposed project provides a convenience service to the surrounding community and complements the community character through appropriate locational controls.

The following policy of the Rowland Heights Community Plan is applicable to the proposed project:

- Encourage the location of commercial and industrial structures where appropriate along freeway and highway routes. (Noise – Policy No. 2, Page 29)

The project site is located directly south of the State Route 60 Pomona Freeway and is located off of Nogales Street, an existing major highway.

10. **ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.**

Billiard halls are permitted in the C-3 (Unlimited Commercial) Zone under Section 22.28.210 of the Zoning Code, subject to the issuance of a conditional use permit pursuant to the provisions of Part 1 of Chapter 22.56.

Per Section 22.52.1110, entertainment, assembly, and dining uses require one automobile parking space for each three persons based on the occupant load as determined by the County Engineer.

The Building and Safety Division of the Department of Public Works has determined that the occupant load for the billiard hall is 62 persons. Therefore 21 parking spaces are required. These parking spaces are available among the 618 existing and proposed parking spaces at the site.

11. **NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.** The proposed billiard hall is located within a commercial center which is located adjacent to the 60 Pomona Freeway to the north, commercial uses to the west, open space (driving range) to the south, and a mobile home community to the west. A 74-foot 3-inch setback (which exceeds the 30-foot 9-inch setback required by the CSD) separates the commercial center from the neighboring mobile home community. This setback, along with the location and orientation of the proposed use within the interior of the commercial center ensures that the use will not create a noise nuisance to the surrounding residences.

The parking spaces at the rear of the building, nearest to the mobile home community, are primarily used for employees and deliveries. Use of this portion of the parking lot by patrons of the proposed use could potentially create a nuisance (light and noise) if cars are entering and exiting that portion of the parking lot until 2 a.m. A condition of approval is included in this permit to prohibit the use of these parking spaces by patrons of the proposed use to prevent such nuisance.

The shopping center's location and design which buffers the proposed use from the adjacent residences, and the proposed use's consistency with the Rowland Heights Community Plan and Countywide General Plan, make it compatible with the surrounding neighborhood, with appropriate conditions.

If approved, a ten (10) year term is recommended for the requested Conditional Use Permit. This is based on the need to reevaluate the compatibility of the project with the surrounding community. It is also recommended that the project be inspected annually for compliance with the final conditions of approval.

12. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
13. **PUBLIC COMMENTS.** A letter was received from the Rowland Unified School District, dated October 25, 2012. In the letter the school district expressed opposition to the proposed Billiard Hall, citing concern that the proposed facility would provide an opportunity for students to skip school and visit the establishment and would affect the traffic flow around the schools which the school district believes would jeopardize the safety of the students.

CONDITIONAL USE PERMIT SPECIFIC FINDINGS

14. The proposed project is consistent with the permitted uses of the designated land use category and supports policies of the Rowland Heights Community Plan and Countywide General Plan.

Therefore, the proposed use will be consistent with the adopted general plan for the area.

15. The proposed project's orientation and location within the commercial center, the significant side yard setback of the commercial center, and the proposed project conditions regarding the operation of the facility reduce the likelihood that the project will negatively affect the persons residing in the neighboring residences.

Therefore, the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

16. The existing commercial center was constructed in compliance of the development standards in the County Zoning Code.

Therefore, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area.

17. The site is served by Labin Court, a fully improved collector street. Under the previous approval of the commercial center plot plan, the applicant is required to comply with the conditions of approval by the County Department of Public Works for any necessary street improvements to accommodate the traffic generated by the commercial center.

Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

ENVIRONMENTAL DETERMINATION

18. The project proposed is to authorize a billiard hall within an existing structure which has adequate parking to accommodate the use. There is no expansion or new construction proposed apart from minor interior tenant improvements. The project is not an exception to any categorical exemptions.

Therefore, the project qualifies as a Categorical Exemption (Class 1 – Existing Facilities) and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

19. **TERM LIMIT.** To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Hearing Officer determines that it is necessary to limit the term of the grant to ten (10) years.
20. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- A. That the proposed use will be consistent with the adopted general plan for the area; and
- B. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit as set forth in Section 22.56.090 of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

1. The Hearing Officer has considered the Categorical Exemption for this project and certifies that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the

PROJECT NO. R2012-01612-(4)
CONDITIONAL USE PERMIT NO. 201200087

FINDINGS
PAGE 6 OF 6

- environment.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 201200087 is Approved subject to the attached conditions.

ACTION DATE: November 6, 2012

- c: Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2012-01612-(4)
CONDITIONAL USE PERMIT NO. 201200087**

PROJECT DESCRIPTION

The project is a new billiard hall within an existing multi-tenant commercial building subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on November 6, 2022.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$2,000.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to

determine the permittee's compliance with the conditions of approval. The fund provides for ten (10) annual inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works ("Public Works").
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings

shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PROJECT SITE SPECIFIC CONDITIONS

19. This grant shall authorize a billiard hall with a total occupancy not to exceed 62 persons.
20. The permittee shall provide parking as required by the County Code, calculated at a parking ratio of 3:1. The billiard hall has an occupant load of 191 persons which would require not less than 21 spaces be provided based on the applicable ratio. If the permittee changes the operation of the billiard hall so as to require less parking than the minimum requirement, the permittee shall submit an application for a Revised Exhibit "A" within 90 days of such occurrence.

If the billiard hall substantially changes its mode or character of operation or if the permittee changes the use or occupancy or otherwise modifies the subject property so as to require parking beyond the minimum requirement, the permittee shall submit an application for a minor parking deviation, parking permit, variance, or other applicable permit, as determined by the Director, within 90 days of such occurrence.

21. Parking on the western portion of the property adjacent to the residences shall not be used by patrons of the billiard hall.
22. No signage is approved by this grant. A separate sign review shall be filed for review and approval by Regional Planning.
23. Operating hours shall be between the hours of 2 p.m. to 2 a.m. seven days a week.
24. Any noise associated with the billiard hall shall not be audible from the nearest residential use.
25. There shall be no loitering permitted on the premises under the control of the permittee.

26. No dancing or dance floor is permitted.
27. There shall be no cover charge or prepayment fee for food and/or beverage service required for admission to the billiard hall.
28. The permittee shall comply with all conditions set forth in the attached Public Works letter dated March 29, 2010.

Attachments:

Public Works Letter dated March 29, 2010

March 29, 2010

Mr. Bobby Liu
Part of the East, LLC
18401 East Avenal Avenue
City of Industry, CA 91748

Dear Mr. Liu:

18888 CABIN COURT
ASSESSOR'S MAP BOOK NO. 8781, PAGE 11, PARCEL 18
PROJECT NO. R2008-00516
IN THE UNINCORPORATED COUNTY AREA OF ROWLAND HEIGHTS
TWO 2-STORY BUILDINGS FOR RETAIL AND OFFICE USE

The Zoning Ordinance (Title 22 of the Los Angeles County Code) requires street dedication and improvements before any building or structure can be used on a lot that adjoins a highway, street, or alley. As part of the building permit, any right of way necessary for road widening of the lot of the road adjoining the lot must be dedicated and any necessary road improvements must be constructed in conformity with the County of Los Angeles Department of Public Works' standards.

Your application on file for the construction of two 2-story buildings for retail and office use is subject to the provisions of the Zoning Ordinance. Therefore, before this site can be used, the requirements of the enclosed Agreement to Improve must be satisfied.

Please execute and return the enclosed Agreement to Improve to Public Works' Building and Safety Division (Southwest District office) prior to the issuance of your building permit. The signature on the document must be notarized. Please send a copy of the signed agreement to Public Works' Land Development Division, Subdivision Management Section.



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

GAIL FARNER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

CERTIFIED MAIL—RETURN RECEIPT REQUESTED

IN REPLY PLEASE
REFER TO FILE: LD-3

March 29, 2010

Mr. Bobby Liu
Pearl of the East, LLC
18401 East Arenth Avenue
City of Industry, CA 91748

Dear Mr. Liu:

**18888 LABIN COURT
ASSESSOR'S MAP BOOK NO. 8761, PAGE 11, PARCEL 18
PROJECT NO. R2008-00516
IN THE UNINCORPORATED COUNTY AREA OF ROWLAND HEIGHTS
TWO 2-STORY BUILDINGS FOR RETAIL AND OFFICE USE**

The Zoning Ordinance (Title 22 of the Los Angeles County Code) requires street dedication and improvements before any building or structure can be used on a lot that adjoins a highway, street, or alley. As part of the building permit, any right of way necessary for road widening of the half of the road adjoining the lot must be dedicated and any necessary road improvements must be constructed in conformity with the County of Los Angeles Department of Public Works' standards.

Your application on file for the construction of two 2-story buildings for retail and office use is subject to the provisions of the Zoning Ordinance. Therefore, before this site can be used, the requirements on the enclosed Agreement to Improve must be satisfied.

Please execute and return the enclosed Agreement to Improve to Public Works' Building and Safety Division (Southwest District office) prior to the issuance of your building permit. The signature on the document must be notarized. Please send a copy of the signed agreement to Public Works' Land Development Division, Subdivision Management Section.

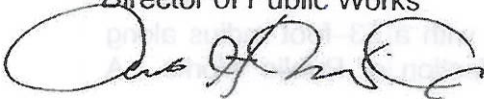
Mr. Bobbie Liu
March 29, 2010
Page 2

A copy of this letter has been sent to our Building and Safety Division and the Department of Regional Planning to clear the Agency Referral form for the requested road requirements for your building application.

A permit from Public Works' Construction Division and a street improvement plan will be required for any road work. It is suggested that any plans needed for obtaining the permit be submitted to Land Development Division, Road and Grading Section, as soon as possible to allow the maximum time for processing and approval. Additional information regarding procedures and requirements may be obtained by contacting Mrs. Patricia Constanza at (626) 458-4921 or by e-mail at pconstan@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER
Director of Public Works



fd DENNIS HUNTER, PLS PE
Assistant Deputy Director
Land Development Division

PL PC:ca
P:\DPUBSUBMGT\PERMITS\IR-3\LABINCT AT\DOC

cc: Department of Regional Planning (Annie Lin)

March 29, 2010

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
AGREEMENT TO IMPROVE
ADJACENT HIGHWAYS, STREETS, OR ALLEYS**

The undersigned certifies that he/she is the owner in fee simple of the property described:

Assessor's Map Book No. 8761, page 11, Parcel 18

Legal Description

18888 Labin Court, in the unincorporated County area of Rowland Heights

Street Address

Project No. R2008-00516—Two 2-story Buildings for Retail and Office Use

Project Description

and hereby agrees to construct the following road improvements as specified in the Zoning Ordinance in accordance with the standards of Public Works

1. Dedicate right of way for an off-set cul-de-sac bulb with a 53-foot radius along the property frontage on Labin Court to the satisfaction of Public Works. A processing fee is required.
2. Permission is granted to vacate excess right of way along the cul-de-sac bulb, along the property frontage on Labin Court to the satisfaction of Public Works. An application and fee must be submitted to Public Works to initiate the process.
3. Execute an encroachment covenant for the private maintenance of the catch basin lateral on Labin Court.
4. Construct an off-set cul-de-sac bulb with a 45-foot curb radius along the property frontage on Labin Court to the satisfaction of Public Works.
5. Construct concrete sidewalk on Labin Court along the property frontage to the satisfaction of Public Works.
6. Construct new driveways along Labin Court to meet current Americans with Disabilities Act requirements to the satisfaction of Public Works.
7. Plant street trees on Labin Court along the property frontage to the satisfaction of Public Works.

March 29, 2010

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
AGREEMENT TO IMPROVE
ADJACENT HIGHWAYS, STREETS, OR ALLEYS**

The undersigned certifies that he/she is the owner in fee simple of the property described:

Assessor's Map Book No. 8761, page 11, Parcel 18

Legal Description

18888 Labin Court, in the unincorporated County area of Rowland Heights

Street Address

Project No. R2008-00516—Two 2-story Buildings for Retail and Office Use

Project Description

8. As a condition to the approval of the subdivision of Parcel Map No. 26789, an updated traffic study is required upon the development of this parcel. Therefore, an approved traffic study is required and shall be submitted directly to Public Works for review and approval along with a review fee. For additional information, please contact Jeff Pletyak at (626) 300-4721 of Public Works' Traffic and Lighting Division. Comply with any additional requirements, if any, as a means of mitigating any traffic impacts as identified in the traffic study approved by Public Works.
9. Provide street lights on concrete poles, with underground wiring, along the property frontage on Labin Court, per approved Street Lighting Plans No. L 031-2009, to the satisfaction of Public Works.
 - a. The applicant shall comply with the conditions listed below in order for the lighting districts to pay for the future operation and maintenance of the street lights. The street lights shall be installed per approved plans prior to issuance of Certificate of Occupancy.
 - b. All street light in the project, or approved project phase, must be constructed according to Public Works-approved plans. The contractor shall submit one complete set of As-built plans. Provided the above conditions are met, the lighting district can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year, provided all street lights have been energized and the developer has requested a transfer of billing at least by January 1 of the previous year. The transfer of billing could be delayed one or more year if the above conditions are not met.

March 29, 2010

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
AGREEMENT TO IMPROVE
ADJACENT HIGHWAYS, STREETS, OR ALLEYS**

The undersigned certifies that he/she is the owner in fee simple of the property described:

Assessor's Map Book No. 8761, page 11, Parcel 18

Legal Description

18888 Labin Court, in the unincorporated County area of Rowland Heights

Street Address

Project No. R2008-00516—Two 2-story Buildings for Retail and Office Use

Project Description

10. Repair and replace any improvements damaged during construction to the satisfaction of Public Works.

It is further agreed that the occupancy of building(s) to be constructed, altered, or enlarged, as shown on plans filed with Public Works' Building and Safety Division, will not be granted until all requirements are met and the required deeds have been executed and recorded. The owner also agrees to enter into a new secured agreement to guarantee the aforementioned road improvements should the County agree to issue occupancy prior to the completion of said road improvements.

Owner(s)

**ALL SIGNATURES TO BE ACKNOWLEDGED
BEFORE A NOTARY PUBLIC**

Mailing Address



Richard A. Bruckner
Director

Los Angeles County
Department of Regional Planning
Planning for the Challenges Ahead



November 8, 2012

TO: Hearing Officer

FROM: Maria Masie
Section Head, Zoning Permits East

SUBJECT: Additional Materials for Hearing
Project Number R2012-01512-01
Conditional Use Permit
HO Meeting: No
Agenda Item

**NOVEMBER 6, 2012 –
SUPPLEMENTAL PACKAGE
(HEARING OFFICER)**

Please find attached a letter to the Unified School District, for the above referenced project, that was received subsequent to the hearing package submitted to the Hearing Officer. In the letter the school district expresses opposition to the proposed Billiard Hall, citing concern that the proposed facility would "provide an opportunity for students to skip school and visit the establishment" and would "affect the traffic flow around the school," which the school district believes would jeopardize the safety of the students.

MMT



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

November 6, 2012

TO: Hearing Officer

FROM: Maria Masís *Masís*
Section Head, Zoning Permits East

SUBJECT: Additional Materials for Hearing
Project Number R2012-01612-(4)
Conditional Use Permit No. 201200087
HO Meeting: November 6, 2012
Agenda Item: 7

Please find attached a letter dated October 25, 2012 from the Rowland Unified School District, for the above referenced project, that was received subsequent to the hearing package submittal to the Hearing Officer. In the letter the school district expresses opposition to the proposed Billiard Hall, citing concern that the proposed facility would "provide an opportunity for students to skip school and visit the establishment" and would "affect the traffic flow around the schools" which the school district believes would jeopardize the safety of the students.

MM:MT

1830 South Nogales Street
Rowland Heights
CA 91748

(626) 965-2541
(FAX) 854-8302

www.rowlandschools.org



Governing Board
Cary C. Chen
Heidi L. Gallegos
Gilbert G. Garcia, Ph.D.
Robert F. Hidalgo
Judy Nieh

Interim Superintendent
Ruben P. Frutos

October 25, 2012

Mr. Maral Tashjian
Los Angeles County Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012

Re: Billiard Hall Permit at 18888 Labin Court, Rowland Heights

Dear Mr. Tashjian:

This letter is in regards to the notice of public hearing for the above-mentioned address intending to establish a Billiard Hall.

The location identified for this purpose falls within the boundary of the Rowland Unified School District. There are 6 school sites within 1.3 miles radius of proposed location including 3 elementary schools, 2 high schools and 1 community day school with open campus meaning students can leave and return to campus.

As an educational institute, we foresee that it will have a negative impact in the community and on students as it will provide an opportunity for students to skip school and visit the establishment, thus affecting their studies. Hours of operation requested will also affect the traffic flow around the schools, as the establishment will be located in very close proximity of the freeway increasing traffic flow around the schools where students travel to and from schools, thus jeopardizing the safety of our students.

We request a denial of the permit for establishing a Billiard Hall. We are enclosing map quest directions and distance for the 6 school sites which are located within 1.3 miles radius.

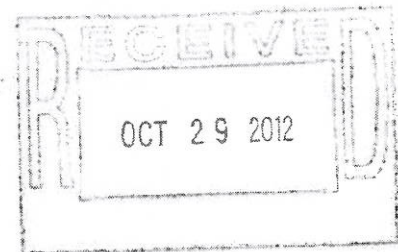
I would like to thank you in advance for your support. Please feel free to contact me to answer any questions or provide any other information.

Sincerely,

Ajay Mohindra
Chief Financial Officer
Rowland Unified School District

AM/rg

Enclosures



Board Vision: The Rowland Unified School District promotes, expects, and accepts nothing short of excellence. We have a collective commitment to be the best school district in California.

Mission: The mission of the Rowland Unified School District, the progressive international community united in learning, is to empower students so that each actualizes his or her unique potential and responsibly contributes to a global society, through a system distinguished by rigorous academics, innovative use of technology, creative exploration, and nurturing learning experiences.



Map of:
[18900-18999] Labin Ct
Rowland Heights, CA 91748



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mapquest

Notes

Killian Elementary 0.82 Miles to location

Trip to:

19100 E Killian Ave

Rowland Heights, CA 91748-3941

0.82 miles / 2 minutes



[18900-18999] Labin Ct, Rowland Heights, CA 91748



1. Start out going **east** on **Labin Ct** toward **S Nogales St**. [Map](#)

0.04 Mi

0.04 Mi Total



2. Take the 1st **right** onto **Nogales St / S Nogales St**. Continue to follow **Nogales St**. [Map](#)

0.7 Mi

0.7 Mi Total

Motel 6 Los Angeles Rowland Heights is on the corner



3. Turn **left** onto **Killian Ave**. [Map](#)

0.1 Mi

0.8 Mi Total

Killian Ave is 0.1 miles past Adney St

If you reach Villa Clara St you've gone about 0.2 miles too far



4. **19100 E KILLIAN AVE** is on the **right**. [Map](#)

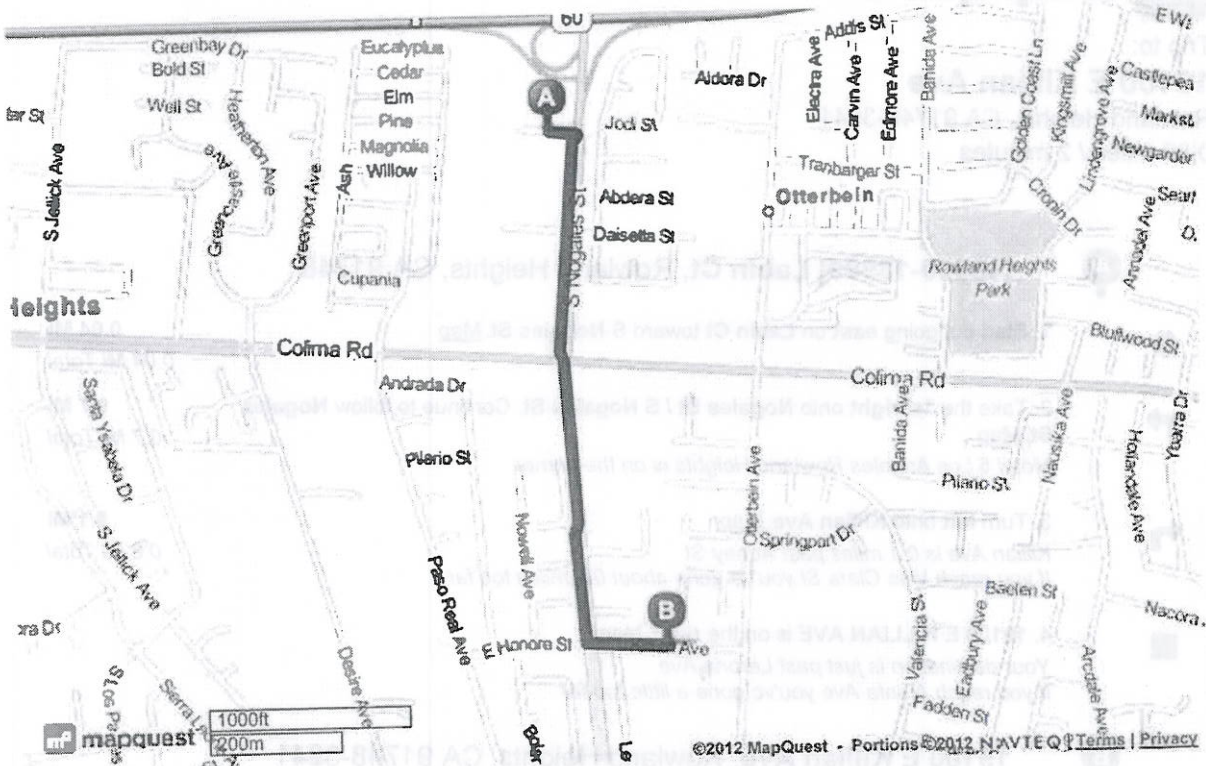
Your destination is just past Lerona Ave

If you reach Ajanta Ave you've gone a little too far



19100 E Killian Ave, Rowland Heights, CA 91748-3941

Total Travel Estimate: 0.82 miles - about 2 minutes



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Notes

Community Day School 0.81 miles from location

Trip to:

1928 Nogales St

Rowland Heights, CA 91748-3855

0.81 miles / 2 minutes



[18900-18999] Labin Ct, Rowland Heights, CA 91748



1. Start out going **east** on **Labin Ct** toward **S Nogales St**. [Map](#)

0.04 Mi

0.04 Mi Total



2. Take the 1st **right** onto **Nogales St / S Nogales St**. Continue to follow **Nogales St**. [Map](#)

0.7 Mi

0.7 Mi Total

Motel 6 Los Angeles Rowland Heights is on the corner



3. Make a **U-turn** onto **S Nogales St**. [Map](#)

0.10 Mi

0.8 Mi Total

If you reach Villa Clara St you've gone about 0.2 miles too far



4. **1928 NOGALES ST** is on the **right**. [Map](#)

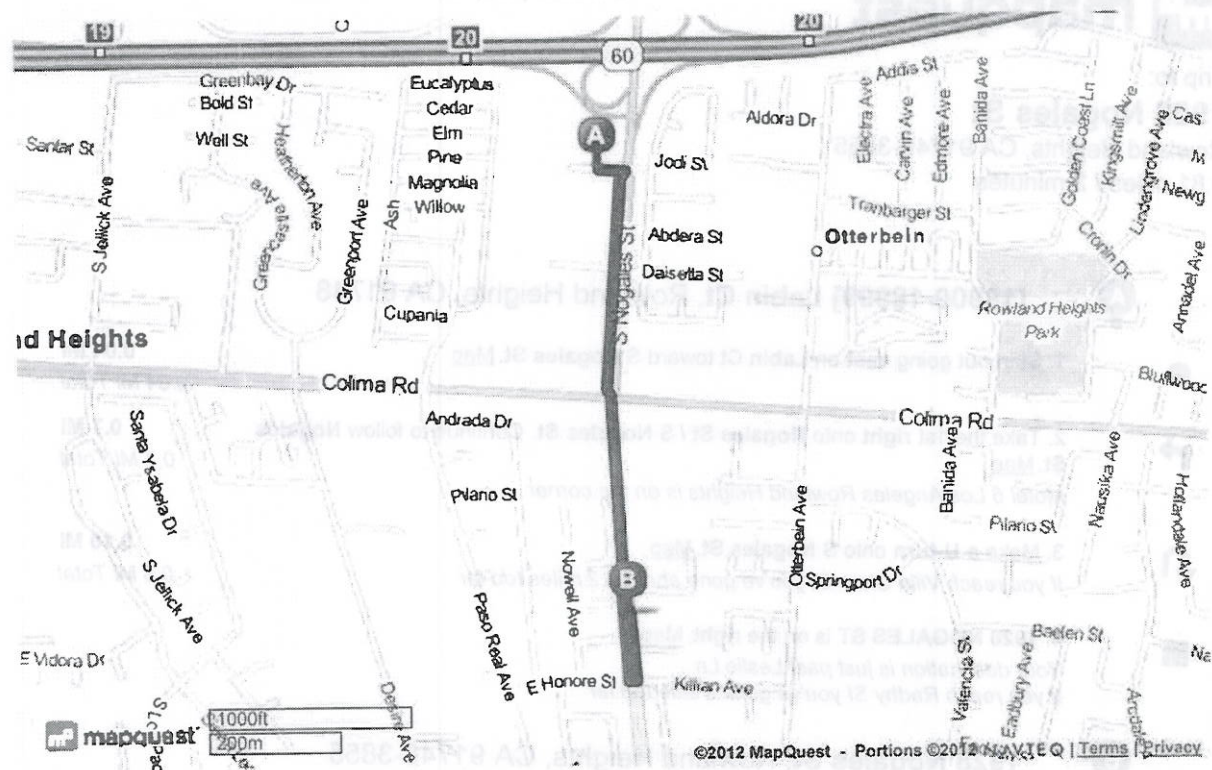
Your destination is just past Leslie Ln

If you reach Radby St you've gone a little too far



1928 Nogales St, Rowland Heights, CA 91748-3855

Total Travel Estimate: 0.81 miles - about 2 minutes



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Notes

Rowland High School 0.96 miles from location

Trip to:






2000 Otterbein Ave

Rowland Heights, CA 91748-3949

0.96 miles / 2 minutes



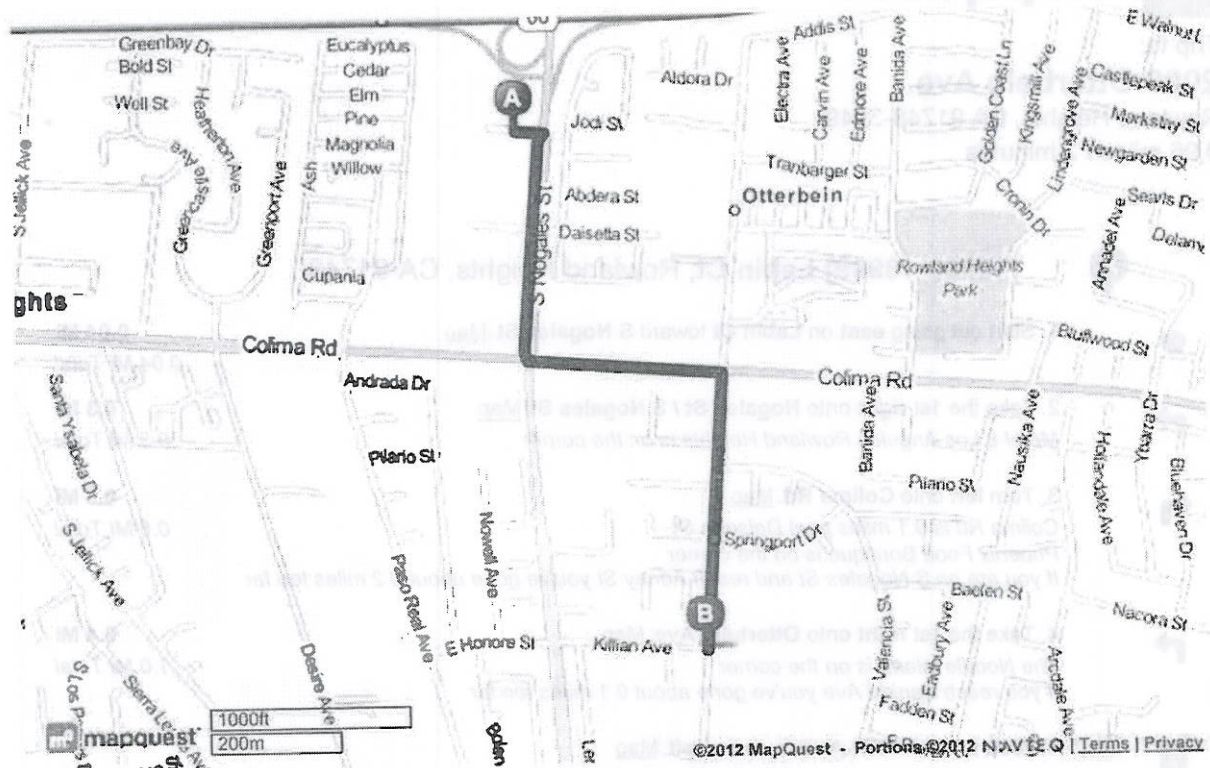
[18900-18999] Labin Ct, Rowland Heights, CA 91748

-  1. Start out going **east** on **Labin Ct** toward **S Nogales St**. [Map](#) **0.04 Mi**
0.04 Mi Total
-  2. Take the 1st **right** onto **Nogales St / S Nogales St**. [Map](#) **0.3 Mi**
0.3 Mi Total
Motel 6 Los Angeles Rowland Heights is on the corner
-  3. Turn **left** onto **Colima Rd**. [Map](#) **0.3 Mi**
0.6 Mi Total
Colima Rd is 0.1 miles past Daisetta St
Phoenix Food Boutique is on the corner
If you are on S Nogales St and reach Adney St you've gone about 0.2 miles too far
-  4. Take the 1st **right** onto **Otterbein Ave**. [Map](#) **0.4 Mi**
1.0 Mi Total
The Noodle Island is on the corner
If you reach Banida Ave you've gone about 0.1 miles too far
-  5. **2000 OTTERBEIN AVE** is on the **left**. [Map](#)
Your destination is just past Radby St
If you reach Kim Ct you've gone about 0.1 miles too far



2000 Otterbein Ave, Rowland Heights, CA 91748-3949

Total Travel Estimate: 0.96 miles - about 2 minutes



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Notes

Shelyn Elementary School 1.33 miles from location

Trip to:

19500e Nacora St

Rowland Heights, CA 91748-3133

1.33 miles / 3 minutes



[18900-18999] Labin Ct, Rowland Heights, CA 91748



1. Start out going **east** on **Labin Ct** toward **S Nogales St**. [Map](#)

0.04 Mi

0.04 Mi Total



2. Take the 1st **right** onto **Nogales St / S Nogales St**. [Map](#)
Motel 6 Los Angeles Rowland Heights is on the corner

0.3 Mi

0.3 Mi Total



3. Turn **left** onto **Colima Rd**. [Map](#)

0.7 Mi

1.0 Mi Total

*Colima Rd is 0.1 miles past Daisetta St
Phoenix Food Boutique is on the corner
If you are on S Nogales St and reach Adney St you've gone about 0.2 miles too far*



4. Take the 3rd **right** onto **Nausika Ave**. [Map](#)

0.07 Mi

1.1 Mi Total

If you reach Ybarra Dr you've gone about 0.1 miles too far



5. Take the 1st **left** onto **Carreta Dr**. [Map](#)

0.05 Mi

1.1 Mi Total

*Carreta Dr is just past Pilario St
If you reach Springport Dr you've gone about 0.1 miles too far*



6. Take the 1st **right** onto **Arcdale Ave**. [Map](#)

0.2 Mi

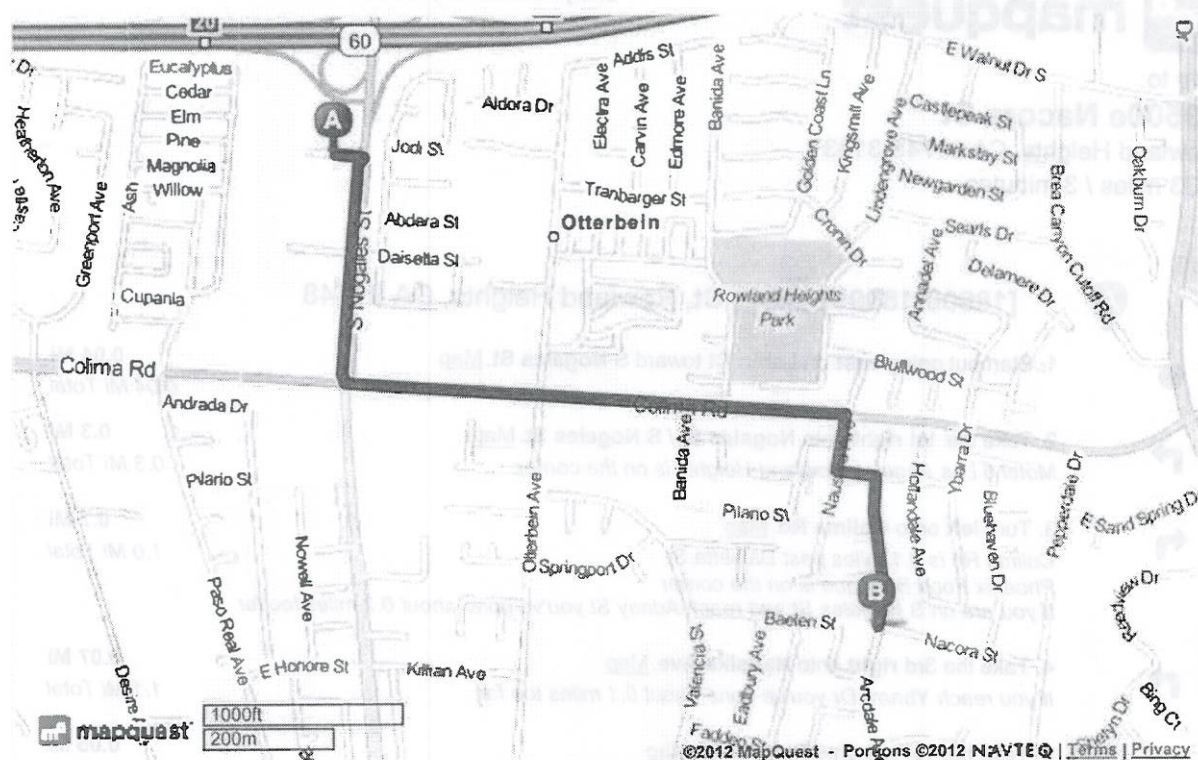
1.3 Mi Total

If you reach Hollandale Ave you've gone a little too far



19500e Nacora St, Rowland Heights, CA 91748-3133

Total Travel Estimate: **1.33 miles - about 3 minutes**



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Notes

Santana High School 0.73 miles from location

Trip to:






1006 Otterbein Ave

Rowland Heights, CA 91748-1408

0.73 miles / 2 minutes



[18900-18999] Labin Ct, Rowland Heights, CA 91748

-  1. Start out going **east** on **Labin Ct** toward **Nogales St / S Nogales St**. [Map](#) **0.04 Mi**
0.04 Mi Total
-  2. Take the 1st left onto **S Nogales St**. [Map](#) **0.3 Mi**
0.3 Mi Total
Motel 6 Los Angeles Rowland Heights is on the corner
-  3. Turn **right** onto **E Walnut Dr N**. [Map](#) **0.3 Mi**
0.6 Mi Total
Kings Wood Teppan Steakhouse is on the corner
If you reach Railroad St you've gone about 0.1 miles too far
-  4. Take the 1st left onto **Otterbein Ave**. [Map](#) **0.1 Mi**
0.7 Mi Total
If you reach Fairway Dr you've gone about 0.7 miles too far
-  5. **1006 OTTERBEIN AVE** is on the **right**. [Map](#)
Your destination is at the end of Otterbein Ave



1006 Otterbein Ave, Rowland Heights, CA 91748-1408

Total Travel Estimate: 0.73 miles - about 2 minutes



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Notes

Alvarado Intermediate School 1.02 miles from location

Trip to:

1901 Desire Ave

Rowland Heights, CA 91748-3846

1.02 miles / 3 minutes



[18900-18999] Labin Ct, Rowland Heights, CA 91748



1. Start out going **east** on **Labin Ct** toward **S Nogales St**. [Map](#)

0.04 Mi

0.04 Mi Total



2. Take the 1st **right** onto **Nogales St / S Nogales St**. [Map](#)

0.3 Mi

Motel 6 Los Angeles Rowland Heights is on the corner

0.3 Mi Total



3. Turn **right** onto **Colima Rd**. [Map](#)

0.4 Mi

Colima Rd is 0.1 miles past Daisetta St

Rite Aid is on the right

If you are on S Nogales St and reach Adney St you've gone about 0.2 miles too far

0.8 Mi Total



4. Turn **left** onto **Desire Ave**. [Map](#)

0.3 Mi

Desire Ave is 0.1 miles past Paso Real Ave

Doljib Restaurant is on the right

If you reach S Jellick Ave you've gone about 0.2 miles too far

1.0 Mi Total



5. **1901 DESIRE AVE** is on the **right**. [Map](#)

Your destination is just past Stevenson Ln

If you reach Old Ranch Ravine Rd you've gone about 0.5 miles too far



1901 Desire Ave, Rowland Heights, CA 91748-3846

Total Travel Estimate: 1.02 miles - about 3 minutes



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Hearing Date 11/06/2012
Agenda Item No. 7

Hearing Officer Transmittal Checklist

Project Number:	R2012-01512-04
Case(s):	Conditional Use Permit No. 201200087 Environmental Assessment No. 201200160
Planner:	Mari Tashjian

NOVEMBER 6, 2012 – HEARING PACKAGE (HEARING OFFICER)

<input checked="" type="checkbox"/>	Project Summary
<input checked="" type="checkbox"/>	Property Location Map
<input checked="" type="checkbox"/>	Staff Analysis
<input checked="" type="checkbox"/>	Draft Findings
<input checked="" type="checkbox"/>	Burden of Proof
<input type="checkbox"/>	Environmental Documentation (MD / MND / EIR)
<input type="checkbox"/>	Correspondence
<input checked="" type="checkbox"/>	Photographs
<input checked="" type="checkbox"/>	Aerial Image(s)
<input checked="" type="checkbox"/>	Land Use/Zoning Map
<input type="checkbox"/>	Tentative Tract / Parcel Map
<input checked="" type="checkbox"/>	Site Plan / Floor Plans / Elevations
<input type="checkbox"/>	Exhibit Map
<input type="checkbox"/>	Landscaping Plans
<input checked="" type="checkbox"/>	Public Works Department Letter (March 29, 2010)

Reviewed By: 

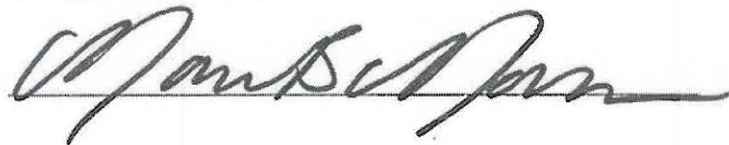
Hearing Officer Transmittal Checklist

Hearing Date 11/6/2012 Agenda Item No. 7

Project Number: R2012-01612-(4)
Case(s): Conditional Use Permit No. 201200087
Environmental Assessment No. 201200160
Planner: Maral Tashjian

- ☒ Project Summary
- ☒ Property Location Map
- ☒ Staff Analysis
- ☒ Draft Findings
- ☒ Draft Conditions
- ☒ Burden of Proof Statement(s)
- ☐ Environmental Documentation (ND / MND / EIR)
- ☐ Correspondence
- ☒ Photographs
- ☒ Aerial Image(s)
- ☒ Land Use/Zoning Map
- ☐ Tentative Tract / Parcel Map
- ☒ Site Plan / Floor Plans / Elevations
- ☐ Exhibit Map
- ☐ Landscaping Plans
- ☒ Public Works Department Letter (March 29, 2010)

Reviewed By:





Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

PROJECT NUMBER:

R2012-01612-(4)

HEARING DATE

11/6/12

PROJECT SUMMARY

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201200087

Environmental Assessment No. 201200160

OWNER / APPLICANT

Rowland Ranch Properties LLC / Cantohood LLC

MAP/EXHIBIT DATE

9/22/12

PROJECT OVERVIEW

To authorize a billiard hall within a newly established two-story, multi-tenant commercial center (authorized by Plot Plan No. 200800405). The proposed 3,900 square foot facility would have an occupant load of 62 persons and require 21 parking spaces. Operating hours would be from 10 a.m. to 2 a.m., seven days a week.

LOCATION

18888 Labin Court, Unit #B-208, Rowland Heights

ACCESS

Labin Court

ASSESSORS PARCEL NUMBER(S)

8761-011-020

SITE AREA

5.98 Acres

GENERAL PLAN / LOCAL PLAN

Rowland Heights Community Plan

ZONED DISTRICT

Puente

LAND USE DESIGNATION

C (Commercial)

ZONE

C-3-BE (Unlimited Commercial, Billboard Exclusion)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

Rowland Heights CSD

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Consistency with the Rowland Heights Community Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit burden of proof requirements)
 - 22.52.1110 (Parking requirements)
 - 22.28.210 (C-3 Zone - Uses Subject to Permits)
 - 22.28.220 (C-3 Zone - Development Standards)

STAFF RECOMMENDATION

Approval.

CASE PLANNER:

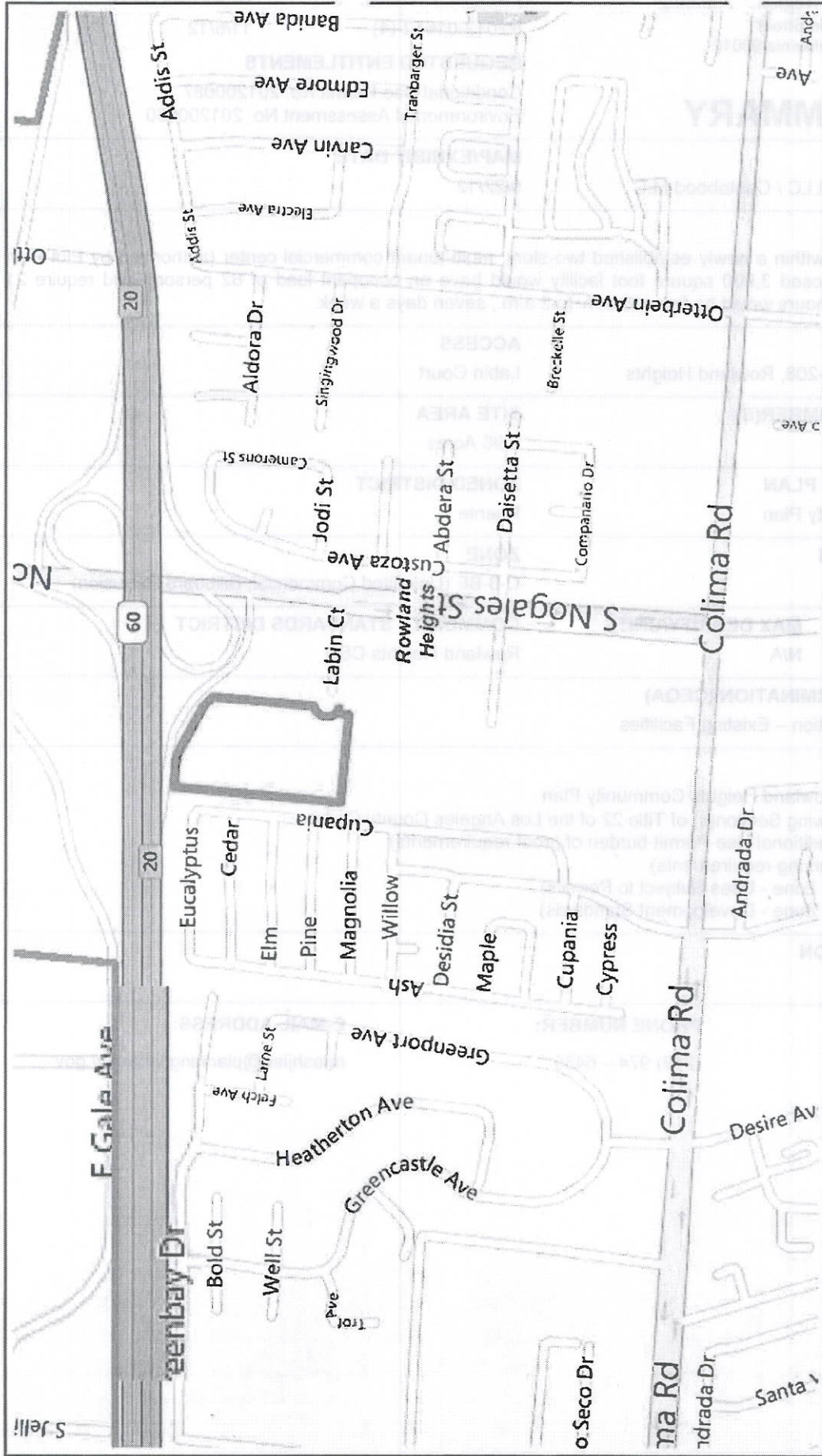
Maral Tashjian

PHONE NUMBER:

(213) 974 – 6435

E-MAIL ADDRESS:

mtashjian@planning.lacounty.gov

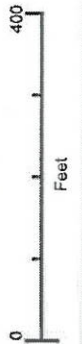
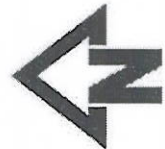


Department of Regional Planning

APN No. 8761-011-020

Printed: Aug 21, 2012

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ENTITLEMENTS REQUESTED

Conditional Use Permit (CUP) for a billiard hall in the C-3-BE (Unlimited Commercial, Billboard Exclusion) Zone pursuant to County Code Section 22.28.210.

PROJECT DESCRIPTION

The proposed project is to authorize a billiard hall within a newly established two-story, multi-tenant commercial center (authorized by Plot Plan No. 200800405). The proposed 3,900 square foot facility would have an occupant load of 62 persons and would require 21 parking spaces. Operating hours would be from 10 a.m. to 2 a.m., seven days a week.

EXISTING ZONING

The subject property is zoned C-3-BE (Unlimited Commercial, Billboard Exclusion), in the Puente Zoned District.

Surrounding properties are zoned as follows:

North: M-1.5-BE (Restricted Heavy Agricultural, Billboard Exclusion)

South: C-3-BE

East: C-3-BE, C-3, A-1-6,000 (Light Agricultural, 6,000 sq. ft. minimum lot size)

West: R-3-12U (Limited Multiple Residence, 12 dwelling unit/acre maximum density)

EXISTING LAND USES

The subject property is developed with a commercial center.

Surrounding properties are developed as follows:

North: State Route 60 (Pomona Freeway), Motel, Shopping Center

South: Driving Range

East: Motel, Restaurant, Commercial, Automobile Repair, Single-Family Residences

West: Mobile Home Community

PREVIOUS CASES/ZONING HISTORY

- **Plot Plan No. 200800405** to authorize the original construction of the shopping center was approved on July 23, 2009.
- **Plot Plan No. 201000980** to authorize a new 4-level parking structure was approved on March 7, 2012.
- **(Pending) Conditional Use Permit No. 201200073** to establish a 6,800 square foot Karaoke Center with an occupant load of 191 persons.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The proposed project would be located within an existing structure and would require no new construction or expansion of the existing structure. Furthermore, there is adequate parking provided for the proposed use at the site. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the Commercial (C) land use category of the Rowland Heights Community Plan. The proposed project is consistent with the permitted uses of the underlying land use category which is intended for retail commercial, service and office uses.

The following policy of the General Plan is applicable to the proposed project:

- *Promote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design and locational controls. (Land Use Element: Ensure Compatibility of Development - Policy No. 9, Page III-12)*

The proposed project provides a convenience service to the surrounding community and complements the community character through appropriate locational controls.

The following policy of the Rowland Heights Community Plan is applicable to the proposed project:

- *Encourage the location of commercial and industrial structures where appropriate along freeway and highway routes. (Noise – Policy No. 2, Page 29)*

The project site is located directly south of the State Route 60 Pomona Freeway and is located off of Nogales Street, an existing major highway.

Zoning Ordinance and Development Standards Compliance

Billiard halls are permitted in the C-3 (Unlimited Commercial) Zone under Section 22.28.210 of the Zoning Code, subject to the issuance of a conditional use permit pursuant to the provisions of Part 1 of Chapter 22.56.

Per Section 22.52.1110, entertainment, assembly, and dining uses require one automobile parking space for each three persons based on the occupant load as determined by the County Engineer.

The Building and Safety Division of the Department of Public Works has determined that the occupant load for the billiard hall is 62 persons. Therefore 21 parking spaces are required. These parking spaces are available among the 618 existing and proposed parking spaces at the site.

Neighborhood Impact/Land Use Compatibility

The proposed billiard hall is located within a commercial center which is located adjacent to the 60 Pomona Freeway to the north, commercial uses to the west, open space (driving range) to the south, and a mobile home community to the west. A 74-foot 3-inch setback (which exceeds the 30-foot 9-inch setback required by the CSD) separates the commercial center from the neighboring mobile home community. This setback, along with the location and orientation of the proposed use within the interior of

the commercial center ensures that the use will not create a noise nuisance to the surrounding residences.

The parking spaces at the rear of the building, nearest to the mobile home community, are primarily used for employees and deliveries. Use of this portion of the parking lot by patrons of the proposed use could potentially create a nuisance (light and noise) if cars are entering and exiting that portion of the parking lot until 2 a.m. A condition of approval is included in this permit to prohibit the use of these parking spaces by patrons of the proposed use to prevent such nuisance.

Taking into account the shopping center's location and design which buffers the proposed use from the adjacent residences, and the proposed use's consistency with the Rowland Heights Community Plan/Countywide General Plan, it is staff's opinion that the proposed use would be compatible with the surrounding neighborhood, with appropriate conditions.

If approved, staff recommends a ten (10) year term for the requested Conditional Use Permit. This is based on the need to reevaluate the compatibility of the project with the surrounding community. Staff also recommends that the project be inspected annually for compliance with the final conditions of approval.

Burden of Proof

The applicant is required to substantiate all facts identified by Section(s) 22.56.040 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

Staff has not received any comments at this time.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2012-01612-(4), Conditional Use Permit Number 201200087, subject to the attached conditions.

SUGGESTED APPROVAL ACTION:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE CONDITIONAL USE PERMIT NO. 201200087 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Maral Tashjian, Regional Planning Assistant II

Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East

Attachments:

Draft Findings, Draft Conditions of Approval

Applicant's Burden of Proof statement

Correspondence

Site Photographs, Photo Simulations, Aerial Image

Site Plan, Land Use Map

MM:MT

10/9/2012

**DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER
COUNTY OF LOS ANGELES
PROJECT NO. R2012-01149-(4)
CONDITIONAL USE PERMIT NO. 201200073**

1. **ENTITLEMENT REQUESTED.** The applicant, Cantohood LLC, is requesting a Conditional Use Permit (CUP) to authorize a billiard hall pursuant to County Code Section 22.28.210 in the C-3-BE (Unlimited Commercial, Billboard Exclusion) Zone.
2. **HEARING DATE.** November 6, 2012
3. **PROCEEDINGS BEFORE THE HEARING OFFICER.** *To be inserted after public hearing(s) to reflect hearing proceedings.*
4. **PROJECT DESCRIPTION.** The proposed project is to authorize a billiard hall within a newly established two-story, multi-tenant commercial center (authorized by Plot Plan No. 200800405). The proposed 3,900 square foot facility would have an occupant load of 62 persons and would require 21 parking spaces. Operating hours would be from 10 a.m. to 2 a.m., seven days a week.
5. **LOCATION.** 18888 Labin Court, Unit #B-208, Rowland Heights
6. **EXISTING ZONING.** The subject property is zoned C-3-BE (Unlimited Commercial, Billboard Exclusion), in the Puente Zoned District. Surrounding properties are zoned as follows:
 - North: M-1.5-BE (Restricted Heavy Agricultural, Billboard Exclusion)
 - South: C-3-BE
 - East: C-3-BE, C-3, A-1-6,000 (Light Agricultural, 6,000 sq. ft. minimum lot size)
 - West: R-3-12U (Limited Multiple Residence, 12 dwelling unit/acre maximum density)
7. **EXISTING LAND USES.** The subject property is developed with a commercial center. Surrounding properties are developed as follows:
 - North: State Route 60 (Pomona Freeway), Motel, Shopping Center
 - South: Driving Range
 - East: Motel, Restaurant, Commercial, Automobile Repair, Single-Family Residences
 - West: Mobile Home Community
8. **PREVIOUS CASES/ZONING HISTORY.**
 - Plot Plan No. 200800405 to authorize the original construction of the shopping center was approved on July 23, 2009.
 - Plot Plan No. 201000980 to authorize a new 4-level parking structure was approved on March 7, 2012.

- (Pending) Conditional Use Permit No. 201200073 to establish a 6,800 square foot Karaoke Center with an occupant load of 191 persons.

9. GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.

The project site is located within the Commercial (C) land use category of the Rowland Heights Community Plan. The proposed project is consistent with the permitted uses of the underlying land use category which is intended for retail commercial, service and office uses.

The following policy of the General Plan is applicable to the proposed project:

- Promote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design and locational controls. (Land Use Element: Ensure Compatibility of Development - Policy No. 9, Page III-12)

The proposed project provides a convenience service to the surrounding community and complements the community character through appropriate locational controls.

The following policy of the Rowland Heights Community Plan is applicable to the proposed project:

- Encourage the location of commercial and industrial structures where appropriate along freeway and highway routes. (Noise – Policy No. 2, Page 29)

The project site is located directly south of the State Route 60 Pomona Freeway and is located off of Nogales Street, an existing major highway.

10. ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.

Billiard halls are permitted in the C-3 (Unlimited Commercial) Zone under Section 22.28.210 of the Zoning Code, subject to the issuance of a conditional use permit pursuant to the provisions of Part 1 of Chapter 22.56.

Per Section 22.52.1110, entertainment, assembly, and dining uses require one automobile parking space for each three persons based on the occupant load as determined by the County Engineer.

The Building and Safety Division of the Department of Public Works has determined that the occupant load for the billiard hall is 62 persons. Therefore 21 parking spaces are required. These parking spaces are available among the 618 existing and proposed parking spaces at the site.

- 11. NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.** The proposed billiard hall is located within a commercial center which is located adjacent to the 60 Pomona Freeway to the north, commercial uses to the west, open space (driving range) to the south, and a mobile home community to the west. A 74-foot 3-inch

setback (which exceeds the 30-foot 9-inch setback required by the CSD) separates the commercial center from the neighboring mobile home community. This setback, along with the location and orientation of the proposed use within the interior of the commercial center ensures that the use will not create a noise nuisance to the surrounding residences.

The parking spaces at the rear of the building, nearest to the mobile home community, are primarily used for employees and deliveries. Use of this portion of the parking lot by patrons of the proposed use could potentially create a nuisance (light and noise) if cars are entering and exiting that portion of the parking lot until 2 a.m. A condition of approval is included in this permit to prohibit the use of these parking spaces by patrons of the proposed use to prevent such nuisance.

The shopping center's location and design which buffers the proposed use from the adjacent residences, and the proposed use's consistency with the Rowland Heights Community Plan and Countywide General Plan, make it compatible with the surrounding neighborhood, with appropriate conditions.

If approved, a ten (10) year term is recommended for the requested Conditional Use Permit. This is based on the need to reevaluate the compatibility of the project with the surrounding community. It is also recommended that the project be inspected annually for compliance with the final conditions of approval.

12. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.

13. **PUBLIC COMMENTS.** No comments were received.

CONDITIONAL USE PERMIT SPECIFIC FINDINGS

14. The proposed project is consistent with the permitted uses of the designated land use category and supports policies of the Rowland Heights Community Plan and Countywide General Plan.

Therefore, the proposed use will be consistent with the adopted general plan for the area.

15. The proposed project's orientation and location within the commercial center, the significant side yard setback of the commercial center, and the proposed project conditions regarding the operation of the facility reduce the likelihood that the project will negatively affect the persons residing in the neighboring residences.

Therefore, the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of

property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

16. The existing commercial center was constructed in compliance of the development standards in the County Zoning Code.

Therefore, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area.

17. The site is served by Labin Court, a fully improved collector street. Under the previous approval of the commercial center plot plan, the applicant is required to comply with the conditions of approval by the County Department of Public Works for any necessary street improvements to accommodate the traffic generated by the commercial center.

Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

ENVIRONMENTAL DETERMINATION

18. The project proposed is to authorize a billiard hall within an existing structure which has adequate parking to accommodate the use. There is no expansion or new construction proposed apart from minor interior tenant improvements. The project is not an exception to any categorical exemptions.

Therefore, the project qualifies as a Categorical Exemption (Class 1 – Existing Facilities) and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

19. **TERM LIMIT.** To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Hearing Officer determines that it is necessary to limit the term of the grant to ten (10) years.

20. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- A. That the proposed use will be consistent with the adopted general plan for the area; and
- B. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit as set forth in Section 22.56.090 of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

1. The Hearing Officer has considered the Categorical Exemption for this project and certifies that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 201200087 is Approved subject to the attached conditions.

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2012-01149-(4)
CONDITIONAL USE PERMIT NO. 201200073**

PROJECT DESCRIPTION

The project is a new billiard hall within an existing multi-tenant commercial building subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on November 6, 2022.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$2,000.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to

determine the permittee's compliance with the conditions of approval. The fund provides for ten (10) annual inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works ("Public Works").
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings

shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PROJECT SITE SPECIFIC CONDITIONS

19. This grant shall authorize a billiard hall with a total occupancy not to exceed 62 persons.
20. The permittee shall provide parking as required by the County Code, calculated at a parking ratio of 3:1. The billiard hall has an occupant load of 191 persons which would require not less than 21 spaces be provided based on the applicable ratio. If the permittee changes the operation of the billiard hall so as to require less parking than the minimum requirement, the permittee shall submit an application for a Revised Exhibit "A" within 30 days of such occurrence.

If the billiard hall substantially changes its mode or character of operation or if the permittee changes the use or occupancy or otherwise modifies the subject property so as to require parking beyond the minimum requirement, the permittee shall submit an application for a minor parking deviation, parking permit, variance, or other applicable permit, as determined by the Director, within 90 days of such occurrence.

21. Parking on the western portion of the property adjacent to the residences shall not be used by patrons of the billiard hall.
22. No signage is approved by this grant. A separate sign review shall be filed for review and approval by Regional Planning.
23. Operating hours shall be between the hours of 10 a.m. to 2 a.m. seven days a week.
24. Any noise associated with the billiard hall shall not be audible from the nearest residential use.
25. There shall be no loitering permitted on the premises under the control of the permittee.

26. No dancing or dance floor is permitted.
27. There shall be no cover charge or prepayment fee for food and/or beverage service required for admission to the billiard hall.
28. The permittee shall comply with all conditions set forth in the attached Public Works letter dated March 29, 2010.

Attachments:

Public Works Letter dated March 29, 2010



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

IN REPLY PLEASE
REFER TO FILE: LD-3

March 29, 2010

Mr. Bobby Liu
Pearl of the East, LLC
18401 East Arenth Avenue
City of Industry, CA 91748

Dear Mr. Liu:

**18888 LABIN COURT
ASSESSOR'S MAP BOOK NO. 8761, PAGE 11, PARCEL 18
PROJECT NO. R2008-00516
IN THE UNINCORPORATED COUNTY AREA OF ROWLAND HEIGHTS
TWO 2-STORY BUILDINGS FOR RETAIL AND OFFICE USE**

The Zoning Ordinance (Title 22 of the Los Angeles County Code) requires street dedication and improvements before any building or structure can be used on a lot that adjoins a highway, street, or alley. As part of the building permit, any right of way necessary for road widening of the half of the road adjoining the lot must be dedicated and any necessary road improvements must be constructed in conformity with the County of Los Angeles Department of Public Works' standards.

Your application on file for the construction of two 2-story buildings for retail and office use is subject to the provisions of the Zoning Ordinance. Therefore, before this site can be used, the requirements on the enclosed Agreement to Improve must be satisfied.

Please execute and return the enclosed Agreement to Improve to Public Works' Building and Safety Division (Southwest District office) prior to the issuance of your building permit. The signature on the document must be notarized. Please send a copy of the signed agreement to Public Works' Land Development Division, Subdivision Management Section.

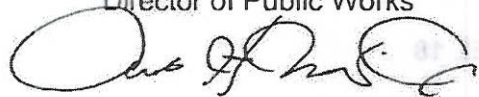
Mr. Bobbie Liu
March 29, 2010
Page 2

A copy of this letter has been sent to our Building and Safety Division and the Department of Regional Planning to clear the Agency Referral form for the requested road requirements for your building application.

A permit from Public Works' Construction Division and a street improvement plan will be required for any road work. It is suggested that any plans needed for obtaining the permit be submitted to Land Development Division, Road and Grading Section, as soon as possible to allow the maximum time for processing and approval. Additional information regarding procedures and requirements may be obtained by contacting Mrs. Patricia Constanza at (626) 458-4921 or by e-mail at pconstan@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER
Director of Public Works



PH DENNIS HUNTER, PLS FE
Assistant Deputy Director
Land Development Division

PL PC:ca
P:\DPU\SUBMG\T PERMITS\IR-3\LABINCT AT1.DOC

cc: Department of Regional Planning (Annie Lin)

March 29, 2010

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
AGREEMENT TO IMPROVE
ADJACENT HIGHWAYS, STREETS, OR ALLEYS**

The undersigned certifies that he/she is the owner in fee simple of the property described:

Assessor's Map Book No. 8761, page 11, Parcel 18

Legal Description

18888 Labin Court, in the unincorporated County area of Rowland Heights

Street Address

Project No. R2008-00516—Two 2-story Buildings for Retail and Office Use

Project Description

and hereby agrees to construct the following road improvements as specified in the Zoning Ordinance in accordance with the standards of Public Works

1. Dedicate right of way for an off-set cul-de-sac bulb with a 53-foot radius along the property frontage on Labin Court to the satisfaction of Public Works. A processing fee is required.
2. Permission is granted to vacate excess right of way along the cul-de-sac bulb, along the property frontage on Labin Court to the satisfaction of Public Works. An application and fee must be submitted to Public Works to initiate the process.
3. Execute an encroachment covenant for the private maintenance of the catch basin lateral on Labin Court.
4. Construct an off-set cul-de-sac bulb with a 45-foot curb radius along the property frontage on Labin Court to the satisfaction of Public Works.
5. Construct concrete sidewalk on Labin Court along the property frontage to the satisfaction of Public Works.
6. Construct new driveways along Labin Court to meet current Americans with Disabilities Act requirements to the satisfaction of Public Works.
7. Plant street trees on Labin Court along the property frontage to the satisfaction of Public Works.

March 29, 2010

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
AGREEMENT TO IMPROVE
ADJACENT HIGHWAYS, STREETS, OR ALLEYS**

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Assessor's Map Book No. 8761, page 11, Parcel 18

Legal Description

18888 Labin Court, in the unincorporated County area of Rowland Heights

Street Address

Project No. R2008-00516—Two 2-story Buildings for Retail and Office Use

Project Description

8. As a condition to the approval of the subdivision of Parcel Map No. 26789, an updated traffic study is required upon the development of this parcel. Therefore, an approved traffic study is required and shall be submitted directly to Public Works for review and approval along with a review fee. For additional information, please contact Jeff Pletyak at (626) 300-4721 of Public Works' Traffic and Lighting Division. Comply with any additional requirements, if any, as a means of mitigating any traffic impacts as identified in the traffic study approved by Public Works.
9. Provide street lights on concrete poles, with underground wiring, along the property frontage on Labin Court, per approved Street Lighting Plans No. L 031-2009, to the satisfaction of Public Works.
 - a. The applicant shall comply with the conditions listed below in order for the lighting districts to pay for the future operation and maintenance of the street lights. The street lights shall be installed per approved plans prior to issuance of Certificate of Occupancy.
 - b. All street light in the project, or approved project phase, must be constructed according to Public Works-approved plans. The contractor shall submit one complete set of As-built plans. Provided the above conditions are met, the lighting district can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year, provided all street lights have been energized and the developer has requested a transfer of billing at least by January 1 of the previous year. The transfer of billing could be delayed one or more year if the above conditions are not met.

March 29, 2010

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
AGREEMENT TO IMPROVE
ADJACENT HIGHWAYS, STREETS, OR ALLEYS**

The undersigned certifies that he/she is the owner in fee simple of the property described:

Assessor's Map Book No. 8761, page 11, Parcel 18

Legal Description

18888 Labin Court, in the unincorporated County area of Rowland Heights

Street Address

Project No. R2008-00516—Two 2-story Buildings for Retail and Office Use

Project Description

10. Repair and replace any improvements damaged during construction to the satisfaction of Public Works.

It is further agreed that the occupancy of building(s) to be constructed, altered, or enlarged, as shown on plans filed with Public Works' Building and Safety Division, will not be granted until all requirements are met and the required deeds have been executed and recorded. The owner also agrees to enter into a new secured agreement to guarantee the aforementioned road improvements should the County agree to issue occupancy prior to the completion of said road improvements.

Owner(s)

**ALL SIGNATURES TO BE ACKNOWLEDGED
BEFORE A NOTARY PUBLIC**

Mailing Address



Los Angeles County
Department of Regional Planning
Planning for the Challenges Ahead



CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

THE PROPOSED BILLIARD HALL IS LOCATED ON THE 2ND FLOOR OF A COMMERCIAL CENTER. THERE WILL BE NO DOORS, WINDOWS, NOR ANY OTHER OPENINGS TOWARDS THE SURROUNDING AREA. THEREFORE THE PROPOSED PROJECT WILL NOT AFFECT THE NEIGHBORING AREA.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

THE PROPOSED BILLIARD HALL IS LOCATED IN A COMMERCIAL CENTER. THE ZONING IS C-3 AND THE NEWLY CONSTRUCTED CENTER IS ADEQUATE IN ALL ASPECTS OF THE USAGE.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

THE COMMERCIAL CENTER MEETS THE STREET REQUIREMENT WITH SUFFICIENT WIDTH AND IMPROVED FOR THE TRAFFIC FOR THE PROPOSED BILLIARD HALL.

Looking South



driving range

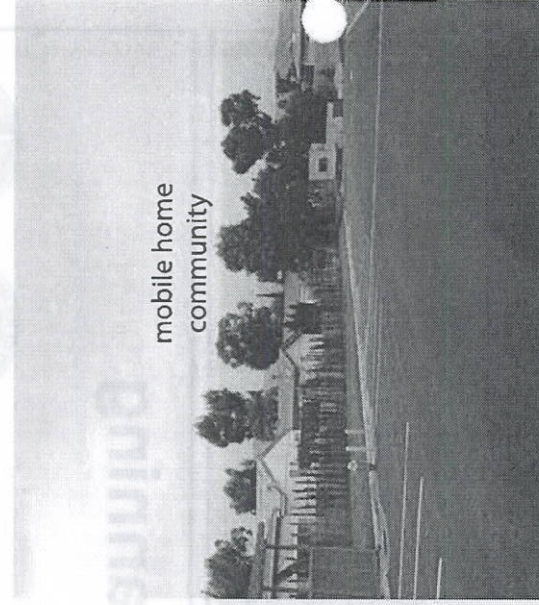
mobile home community

Looking West



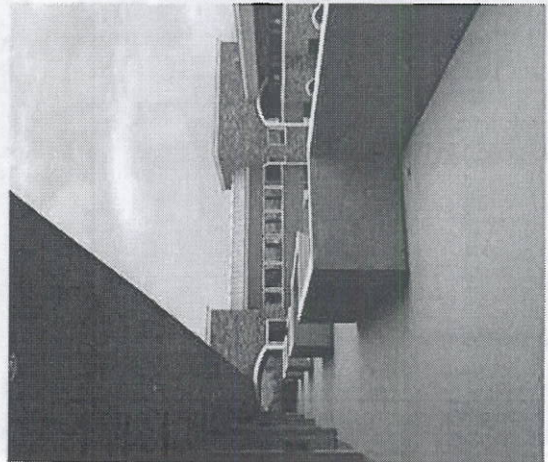
mobile home community

Looking North

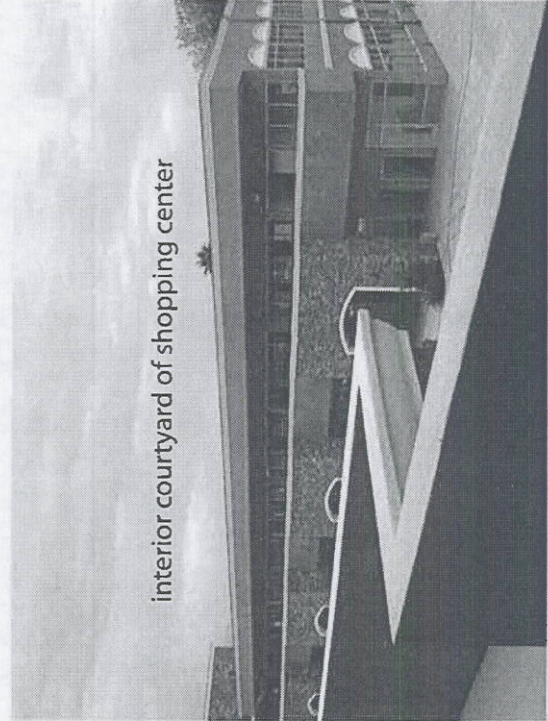


mobile home community

Looking North

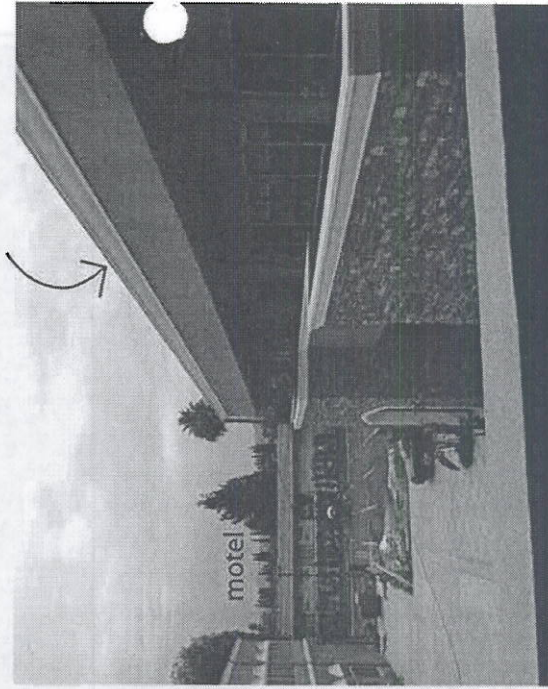


Looking West



interior courtyard of shopping center

Billiard Hall Tenant Space



motel

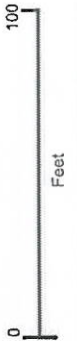
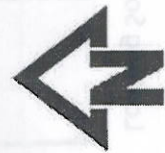


Department of Regional Planning

APN No. 8761-011-020

Printed: Aug 21, 2012

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Los Angeles County
Department of Regional Planning

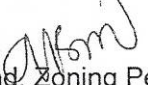
Planning for the Challenges Ahead



Richard J. Bruckner
Director

January 3, 2013

TO: David W. Louie, Chair
Esther L. Valadez, Vice Chair
Harold V. Helsley, Commissioner
Curt Pedersen, Commissioner
Pat Modugno, Commissioner

FROM: Maria Masis 
Section Head, Zoning Permits East

SUBJECT: Project Number R2012-01612-(4)
Conditional Use Permit No. 201200087
RPC Meeting: January 16, 2013
Agenda Item: 7

The above-mentioned item is an appeal of the Hearing Officer's decision on November 6, 2012, that approved the establishment of a 3,900 square foot Billiard Hall within an existing commercial center.

On December 17, 2012 staff received a request from the appellant, Don Kim, for a later hearing date since he would not be able to attend any hearings during the month of January. Per his request, staff recommends that the public hearing be continued to February 6, 2013.

If you need further information, please contact Maral Tashjian of my staff at (213) 974-6435 or mtashjian@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

MM:MT